

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24433 of 2022

Arising Out of PS. Case No.-403 Year-2020 Thana- NAUTAN District- West Champaran

Ali Ahmad S/o Sheikh Mehnadi R/o Village - Khadda Seikh Toli, P.S. -
Nautan, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aprajita, Adv. Mr. Animesh Kumar, Adv.
For Informant/s	:	Mr. Anant Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Nautan P.S. Case No. 403 of 2020 lodged under Sections 341,
323, 324, 325, 307, 379, 504, 506, 34 of the I.P.C.

As per the prosecution case, the specific allegation
against the petitioner is to assault the informant by iron rod and
caused injury to the informant.

Learned counsel for the petitioner submits that from
the F.I.R., it transpires that the cause of dispute has arisen due to
quarrel takes place among the children which resulted into

abusing and subsequently, this unfortunate occurrence took place. Learned counsel for the petitioner submits that petitioner is in custody since 22.02.2022. He submits that both parties are well-known to each other. He also admits that there are 2 criminal cases pending against him in which he is on bail and all those cases are not of I.P.C. rather of minor section i.e. animal cruelty.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes prayer for bail and submits that there is a specific allegation against the petitioner to cause injury by iron rod therefore, the bail petition of the petitioner is rejected.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., District- West Champaran, Bettiah in connection with Nautan P.S. Case No. 403 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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