

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36144 of 2021

Arising Out of PS. Case No.-725 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

Abhinandan Kumar Son of Mohan Tiwari Resident of Village - Minapur Rai,
P.S.- Hajipur (Sadar), District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-02-2022 Heard learned counsel for the petitioner as well as

learned counsel for the Informant and learned Additional Public

Prosecutor for the State in Virtual Court proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Hajipur Sadar
P.S. Case No. 725 of 2019 registered for the offences punishable
under Sections 341, 323, 324, 307, 379, 504, 506/34 of the
Indian Penal Code.

According to prosecution case, allegation against the
petitioner as per F.I.R. that Abhinandan Kumar along with his
associates caught the informant. The present petitioner with iron
hassua with intention to cause death of the informant hit him on
his neck and due to said injury he fell down. He was taken to



Sadar hospital at Hajipur where injury was stated to be grievous.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. He further submits that as per F.I.R. allegation against the petitioner that he has given Hasua blow on the informant. He further submits that the injury report which has been issued by the P.M.C.H. has been found simple in nature. He further submits that police after investigation submitted charge sheet against the petitioner. The petitioner is in custody since 02.01.2021.

The learned counsel for the Informant and learned Additional Public Prosecutor have vehemently opposed the prayer for bail but fairly submits that the informant has given application for correction of mistake committed by the doctor of P.M.C.H. and petitioner has carries one criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 725 of 2019, subject to the following conditions:-



1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

mdrashid/-

U		T	
---	--	---	--

