

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26455 of 2022

Arising Out of PS. Case No.-103 Year-2021 Thana- HALSI District- Lakhisarai

Md. Samsuddin @ Md. Samshuddin S/o Zakir R/o village- Bartara, P.S.-
Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-08-2022 Let the defect, 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
Halsi P.S. Case No. 103 of 2021 lodged under Sections 447,
323, 325, 379, 307/34 of the Indian Penal Code.

As per the prosecution case, 4 named persons visited
to the house of informant on 26.01.2021, they abused and
threaten to kill the informant, in this regard F.I.R. was lodged on
27.01.2021. It has been further alleged that on 14.05.2021 when
the informant was coming from *feri* then 6 named accused
persons including the petitioner started assaulting him by iron
rod, in result the informant suffered from head injury and

become unconscious.

Learned counsel for the petitioner submits that for the same date of occurrence dated 14.05.2021 there are 2 cases filed, one is Halsi P.S. Case No. 102 of 2021 and another is Halsi P.S. Case No. 103 of 2021. Learned counsel for the petitioner further submits that both informant and the petitioner party filed case and counter case against each other and injury took place to both the sides, which is apparent from injury report of both parties annexed in the present petition. He further submits that the petitioner is a law abiding citizen and has a due respect for law. He further submits that petitioner is old aged person of 60 years, and ready to fulfill all the conditions whatsoever, shall be imposed upon him. He also submits that petitioner is in custody since 30.04.2022 and antecedent of petitioner is clean.

Learned counsel for the State opposes the prayer for bail.

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 A.C.J.M. II, Lakhisarai in connection

with Halsi P.S. Case No. 103 of 2021, 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 resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation 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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