

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26331 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- GANDHIMAIDAN District- Patna

PRAMOD SINGH Son of Chunnu Singh Resident of Village - Golghar
Chouraha, Masjid Gali, P.S.- Gandhi Maidan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 31-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with
Gandhi Maidan P.S. Case No. 65 of 2022 registered for the
offences punishable under Sections 323, 307, 448, 504, 506/34
of the Indian Penal Code.

As per prosecution case, informant was cleaning
outside of her house in the meantime, present petitioner and
others entered her house and started abusing. On objection, and
by the order of present petitioner, co-accused Naina Devi hit on
the head of the informant with intention to kill her due to which
informant sustained injury.



Learned counsel for the petitioner submits that petitioner is in custody since 07.02.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is a case and counter case between both the parties on the same date of occurrence. Co-accused against whom there is allegation of assault has already been granted bail vide Cr. Misc. No. 26968 of 2022 by a co-ordinate bench of this Court and the case of present petitioner stands on better footing. Learned counsel further submits that petitioner is merely an order giver.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate – XIVth , District Patna in connection with Gandhi Maidan P.S. Case No. 65 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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