

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27089 of 2022

Arising Out of PS. Case No.-55 Year-2021 Thana- KARJAIN District- Supaul

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1. Raj Kumar Mehta, Son Of Late Satyanarain Mehta.
 2. Santosh Kumar Son Of Raj Kumar Mehta.
Both are Resident Of Village - Padam Nagar Ward No.1, P.S.- Karjain,
Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-08-2022 Heard learned counsel for the petitioners and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioners are in judicial custody in connection
with S.T. Case No.89 of 2022 arising out of Karjain P.S. Case
No.55/2021 instituted under Sections 341, 323, 324, 307,
354(A), 379, 504, 34 of the Indian Penal Code.

As per the allegation in the FIR, the informant has
alleged that the accused persons were abusing her husband and
when this was objected by the informant, it is alleged that after
abusing her too, the present petitioners gave a 'Dabia' blow on
her head, as a result where, of she suffered injury.



Learned counsel for the petitioners submits that a bare perusal of the learned Sessions Judge order show that the said injury has been found to be simple in nature, both the informant and petitioner are related to each other being brother-in-law ,sister-in-law and the petitioner has suffered a lot by being in custody since 16.12.2021 (as stated in para-18 of the bail application). He lastly submits that the petitioner do not have any criminal antecedent.

Taking into account the aforesaid fact, that the injury inflicted on the informant has been found to be simple in nature, the petitioner is in custody since 16.12.2021 and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with S.T. Case No.89 of 2022 arising out of Karjain P.S. Case No.55/2021 to the satisfaction of learned Additional Sessions Judge, 7th, Supaul, subject to following conditions:

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show his/her bona fide;



(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of their bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of the Trial to mark their presence;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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