

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29250 of 2022**

Arising Out of PS. Case No.-18 Year-2022 Thana- BHAWANIPUR District- Purnia

Bhola Mandal @ Ram Balabh Manda @ Raj Balam Mandal S/o Dhoday  
Mandal Resident of Village- Kushwaha @ Kushaha Milik, P.S.- Bhawanipur,  
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                                  |
|--------------------------|---|--------------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agrawal, Sr. Advocate<br>Mr. Ajit Ranjan Kumar, Advocate<br>Ms. Preety Kunwar, Advocate |
| For the Opposite Party/s | : | Mr. Md. Iftekhar Mahmood, A.P.P.                                                                 |
| For the Informant        | : | Mr. Manoj Kumar Jha, Advocate                                                                    |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      30-08-2022                      Heard learned counsel for the petitioner and learned  
counsel for the Informant as well as learned Additional Public  
Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 341, 342, 324, 325, 307,  
379, 511/34 of the Indian Penal Code.

Allegation against the petitioner is that the accused  
petitioner gave two Garasa blow on the head of the informant  
causing bleeding injury to the informant, due to which he fell  
down on the earth and he became senseless.

Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the occurrence took place on 08.01.2022 but the present F.I.R. has been instituted on 25.01.2022 after delay of 17 days without any explanation of delay. He further submits that the petitioner has falsely been implicated in the present case only on the instance of one Bijendra Mandal with whom the petitioner has got land dispute and in fact the victim was examined in the Government Hospital as well as Private Hospital. He further submits that in fact the injury report of the victim suggest that the injury is cause by hard and blunt object and the injury is grievous in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.01.2022.

The learned counsel for the Informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

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 Court



below where the case is pending in connection with Bhawanipur  
P.S. Case No. 18 of 2022, 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)**

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