

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 38581 of 2021**

Arising Out of PS. Case No.-179 Year-2020 Thana- SURYAGARHA District- Lakhisarai

SACHIN KUMAR S/o- Krishnandan Yadav R/o Village- Chandanpura, P.S.-
Suryagarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Rajnish Chandra, Advocate

For the Opposite Party/s : Ms Suman Kumari Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner apprehends arrest in Suryagarha Police
Station (for brevity, *PS*) Case No 179 of 2020 dated 02.09.2020
registered for the offence punishable under Sections 147, 341,
323, 307, 379, 504, 506 of Indian Penal Code.

While returning from the market, the informant has
been assaulted by the petitioner along with six other co-accused
persons.

Petitioner's counsel submits that the allegations are
general and omnibus. Specific assault is attributed to co-
accused Ghanshyam Kumar and Chotu Kumar. The petitioner



has been implicated merely because he was normally keeping company of the said accused persons and he has no criminal antecedent. It is further submitted that from the order of the Additional Sessions Judge III, Lakhisarai dated 24.03.2021 rejecting the prayer for anticipatory bail, it is apparent that no grievous injury has been caused to the informant.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, the fact that there is no specific assault attributed to the petitioner and his clean antecedent, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender within four weeks from today, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Lakhisarai in Suryagarha PS Case No 179 of 2021 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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

