

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29394 of 2022

Arising Out of PS. Case No.-567 Year-2020 Thana- BIHTA District- Patna

CHANDEO RAI Son of Bhuneshwar Rai Resident of Village - Subhaw Tola,
P.s.- Neora (OP) Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 341, 323, 379, 354, 504, 506, and
302/34 of the Indian Penal Code.

The informant and his father are subjected to
assault by the petitioner and others by means of iron rod on
his head resultantly he sustained injuries.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that according to the F.I.R., the petitioner is
alleged to have assaulted the informant on his head by iron



rod and his father has also been assaulted by the petitioner who died during course of treatment. He further submits that there is no injury report of the injured available on record to support the prosecution version. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the co-accused, namely, Badrinath Rai and Deepak Rai have already been granted bail by a co-ordinate Bench of this Court vide order dated 06.07.2022 passed in Cr. Misc. No. 45105 of 2021. One another co-accused, Guddu Kumar @ Chandan Kumar has also been granted bail by a co-ordinate Bench of this Court vide order dated 28.10.2021 passed in Cr. Misc. No. 24867 of 2021. The petitioner is rotting in judicial custody since 19.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Bihta P.S. Case No. 567 of 2020 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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