

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31335 of 2022

Arising Out of PS. Case No.-804 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SURAJ KUMAR S/o Arun Kumar Paswan Resident of Masakchak, P.S. -
Jogsar, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anita Kumari Singh, Advocate
For the Opposite Party/s : Ms.Nirmala Kumari,APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-09-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offence punishable under Sections 307,379 of the IPC and

Section 34 of IPC.

Allegation against two unknown persons is that they

assaulted the informant by means of iron rod causing injury on

his head. Further allegation is that the accused persons snatched

away his golden ornaments from him.

Learned counsel appearing for the petitioner submits



that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the self-confessional statement of the petitioner. Further submits that in fact the informant, after some time, informed the police that two persons, namely, Kanhaiya @ Prashat and Adarsh assaulted the informant. Further submits that in fact the petitioner was apprehended in Kajraili P.S. Case No.91 of 2021 and he was remanded in the present case on 10.12.2021. Further submits that during investigation, except the confessional statement of the petitioner, nothing has come against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Kotwali (Jogsar) P.S. Case No.804 of 2021, 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 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.

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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