

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31506 of 2022**

Arising Out of PS. Case No.-152 Year-2022 Thana- SHEKHPURA District- Sheikhpura

NIRAJ SINGH @ NIRAJ KUMAR @ BANTI KUMAR S/o Uday Singh R/o
village - Gawai, P.S. - Sheikhpura (Hathiyawan O.P.), Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinkar Kumar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

**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 147, 341, 323, 324, 307, 302, 120(B), 504, 506 of the Indian Penal Code.

As per prosecution case, allegation against co-accused namely Shashikant @ Sunny Kumar is that he blown knife upon Khelo Singh repeatedly. Further allegation against co-accused Mohan Singh is that he also inflicted knife blow upon Anil Singh causing injuries on his person. Petitioner was present at the time of occurrence.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that it appears from the FIR that there is specific allegation of assault is attributed against co-accused namely Shashikant @ Sunny Kumar and Mohan Singh. In fact the petitioner was present at the time of occurrence and no allegation of overt-act or assault is there against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.04.2022.

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 Sheikhpura (Hathiyawan O.P.) P.S. Case No. 152 of 2022, 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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