

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41760 of 2021**

Arising Out of PS. Case No.-428 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

VIKKY ANSARI S/O EHSAN AHMAD R/O VILLAGE-TEHTA, P.S-
MAKHDUMPUR (TEHTA O.P.), DISTRICT-JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

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

3 02-03-2022 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 the learned A.P.P. for the State.

The petitioner seeks bail in connection with Makhdumpur (Tehta) P.S. Case No. 428 of 2020 registered for the offence under Sections 341, 323, 325 and 307 of the Indian Penal Code.

The petitioner is said to have assaulted the informant by iron rod as a result of which he sustained injuries.

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the according to the F.I.R., the occurrence took place in broad day light in busy market at the shop of the informant but surprisingly no one has claimed to be an eye witness to the alleged occurrence. He further submits that the doctor has opined in the injury report that the informant has sustained injury due to fall from the height. He also submits that the injury report does not corroborate with the allegation leveled in the F.I.R. The police after investigation has submitted charge sheet in this case against the petitioner on 31.12.2021. The petitioner is rotting in judicial custody since 07.11.2020.

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, 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 C.J.M., Jehanabad in connection with Makhdupur (Tehta) P.S. Case No. 428 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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