

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34632 of 2022

Arising Out of PS. Case No.-619 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

Ram Avatar Mahato Son Of Late Ramanand Mahto R/O- Vill- Ghehtaganj
P.S.- Chapra Mufassil, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chapra Mufassil P.S. Case No. 619 of 2021 lodged under
Sections 341, 323, 324, 307, 504/34 of the I.P.C.

As per the prosecution case, the occurrence took place
on 09.10.2021 in which the allegation was that the informant
has attacked in the stomach of his son, in result he become
injured and subsequently other persons have also visited, then
the accused persons fled away. In this case, there were 3 persons
were made accused including the present petitioner.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that for the occurrence dated 09.10.2021, there are case and counter case from both the sides. He further submits that injuries took place from both the sides and both the parties injured. Learned counsel further submits that both are neighbourers and due to petty issue, the dispute took place between both the sides. He also submits that petitioner is in custody since 18.01.2022 having 2 criminal antecedent. In one case he is on bail and in another case he has been acquitted.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Saran at Chapra in connection with Chapra Mufassil P.S. Case No. 619 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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