

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43373 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- BANIAPUR District- Saran

ABHISEK SINGH @ ABHISHAK SINGH S/o Uday Singh R/o village-
Beruei, P.O.- Beruei, P.S.- Baniyapur, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Baniyapur P.S.
Case No. 93 of 2020 registered for the offences punishable under
Sections 147, 148, 149, 323, 336, 324, 307 and 302 of the IPC.

According to prosecution case, on 11.04.2020 at about
9:00 AM., the petitioner along with other accused having armed
with weapon came to the informant and started abusing him. On
hearing the sound of noise, the family members of the informant
also came there. The accused persons assaulted the father of the
informant by means of lathi, danda and rod. The accused persons
also assaulted the mother and brother of the informant. On hue
and cry, the people of the vicinity came there and injured were
taken to hospital for treatment where doctor declared the



informant's father dead.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that there is land dispute between the parties. He further submits that according to the F.I.R, the petitioner is alleged to have given knife blow causing injury at the left chick of the informant but he has not assaulted the father of informant in any manner. No specific overt-act committed upon the father of the informant is attributed to the petitioner. Charge sheet has been submitted in this case against the petitioner. Learned counsel further submits that co-accused Nitu Devi and Uday Singh have been granted bail by this court vide order dated 06.12.2021 passed in Cr. Misc. No. 36173 of 2021. Petitioners are in custody since 08.06.2020.

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 A.C.J.M.-XI, Saran at Chapra in connection with Baniyapur P.S. Case No. 93 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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