

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35257 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- RAJAPAKAR District- Vaishali

Abhishek Chaudhary @ Abhishek Kumar @ Raju Kumar Son Of Sri
Awadhesh Chaudhary R/O Village- Bakhri Supain, P.S.- Rajapakar, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-09-2022 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 through video conferencing.

The petitioner seeks regular bail in connection with
Rajapakar P.S. Case No. 316 of 2021 lodged under Sections
341, 323, 324, 325, 307, 354/34 of the I.P.C.

As per the allegation made in the F.I.R., the petitioner
has assaulted the informant and his father by iron rod.

Learned counsel for the petitioner submits that for the
same date and place of occurrence, there are case and counter
case. The counter case is Annexure-A2. He further submits that
both the parties are neighbourer, good sense prevailed among

them and vide Annexure-A3, they have shown their consent for closing the case.

Learned counsel for the petitioner further submits that injury is from both the sides. He also submits that other co-accused persons have granted bail by the order of this Court in Cr. Misc No. 8429 of 2022 on 29.06.2022.

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 Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 316 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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