

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45458 of 2021**

Arising Out of PS. Case No.-52 Year-2021 Thana- BARHAT District- Jamui

=====

TARUN KUMAR SINGH S/o Madan Singh R/o village- Numar, P.S.- Barhat,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.APP.

=====

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

4 21-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Barhat P.S.
Case No. 52/ 2021 registered for the offences punishable under
Sections 147, 148, 149, 448, 323, 341, 307, 324, 354(B), 504,
506 of the IPC and 27 of the Arms Act.

As per prosecution case, on 30.05.2021 the FIR named



accused persons including the petitioner having variously armed came to the house of informant and co-accused Madan Singh ordered to demolish her house. On protest, all the accused persons started assaulting her. Petitioner is said to have assaulted Pappu Singh with axe causing injury on his head. It is also said that other family members of the informant were also assaulted by the accused persons.

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. He further submits that it appears from first part of the FIR that there is general and omnibus allegation against all the accused persons. He further submits that present FIR is counter blast of Barhat P.S. Case No. 53 of 2021. He further submits that there is admitted land dispute between the parties. He further submits that there is no allegation of repetition of blow against the petitioner. Petitioner is in custody since 20.05.2021.

Learned counsel for the informant and learned Additional Public Prosecutor vehemently opposed the prayer of bail submitting that there is direct allegation of assault against the petitioner.

Considering the aforesaid facts and circumstances, 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 Sri N.K. Pandey, learned Judicial Magistrate-1st Class, Jamui in connection with Barhat P.S. Case No. 52/ 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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)

shahzad/-

U		T	
---	--	---	--

