

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37633 of 2022

Arising Out of PS. Case No.-893 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Rajesh Thakur Son Of Nagendra Thakur Resident of village- Nainha P.s-
Sadar Hajipur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 17-10-2022 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
Hajipur Sadar P.S. Case No. 893 of 2021, lodged under Sections
341, 323, 324, 307, 379, 34 of the Indian Penal Code.

As per prosecution case, the informant has narrated in
the F.I.R. that he went to Hajipur for the purpose of purchasing
Rota Betar. In the evening he was returning to his village then
all of a sudden the petitioner and two others surrounded him.
Allegation against the petitioner is that he has snatched
Rs.50,000/- and attacked by knife in his stomach and soldier.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. He further submits that he got landed property from his *nanihal* in the said village and the informant wants to leave the petitioner from said village. He further submits that the F.I.R. itself is false due to the reason that the date of occurrence is on 07.10.2021 whereas F.I.R. has been lodged on 11.10.2021 i.e. delay of approximately 4 days. He further submits that petitioner is in custody since 26.03.2022 and there are two criminal cases pending against him, in which he is acquitted in one case and another case was filed by the relative of the informant. He further submits that the informant has managed the medical report and due to this reason it has come in the order sheet that the Doctor has kept the opinion reserve. Learned counsel for the petitioner further submits that charge sheet has already been filed in this case and petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 893 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.)

ritik/-

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