

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37267 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- NARDIGANJ District- Nawada

BALESHWAR CHAUHAN SON OF LATE MOHAN CHAUHAN
RESIDENT OF VILLAGE- TARAUNI, P.S.- NARDIGANJ, DISTRICT-
NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 147, 148, 149, 341, 323, 307, 302,
504 and 506 of the Indian Penal Code.

The father of the informant is said to have been
assaulted by the petitioner and his companions resultantly
he died.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that there is general and omnibus allegation
against the petitioner and no specific allegation of assault is



attributed to him. He further submits that though the petitioner is alleged to have armed with Khanti but he has not inflicted any injury to the deceased. He further submits that altogether fourteen persons have been named in the F.I.R. but the specific allegation of inflicting lathi blow on the head of the deceased is attributed to the co-accused namely, Bharat Chauhan. He further submits that the petitioner is aged about 72 years old man and suffering from several old age disease. The petitioner is rotting in judicial custody since 21.02.2022.

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 Court below where the case is pending in connection with Nardiganj P.S. Case No. 22 of 2021 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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