

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46716 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

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AJIBUL ALI @ AJIBUR ALI Son of Late Saifuddin Resident of Village -
Khutti Hasali, Idgah Tola, P.S.- K. Nagar, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offence punishable under Sections 147, 148, 149, 341, 323, 324,

307 of the IPC and Section 27 of the Arms Act.

Allegedly, while the informant was ploughing his

field with tractor, the accused persons having armed with deadly

weapons, came there and stopping tractor started assaulting.

Firing was also made.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He further submits that there is admitted land dispute is going on between the parties. He further submits that as per FIR the allegation against the petitioner is that he assaulted to Md. Nijam on his head by Garasi. He further submits that the injury report shows that undisplaced fracture noted right greater wing of spheroid and right parietal bone and the nature of injury is grievous due to hard and blunt object and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.02.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the injury report also corroborates the allegation as alleged in the FIR.

Considering the aforesaid facts and period of custody, 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 learned Court below where the case is pending in connection with K.Nagar P.S. Case No.180 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 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.

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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