

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38766 of 2022

Arising Out of PS. Case No.-145 Year-2020 Thana- LAXMIPUR District- Jamui

Surendra Das Son of Nageshwar Das Resident of village- Nichli Sewa, P.s.-
Gidhaur, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-11-2022 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
Laxmipur (Gidhaur) P.S. Case No. 145 of 2020, lodged under
Sections 147, 149, 341, 323, 307, 337, 379, 448, 504 of the
Indian Penal Code.

As per the prosecution case, the F.I.R. has been
lodged against 9 named accused persons who has assaulted to
the informant's mother. Specific allegation against the petitioner
is to assault by *lathi* on the head of informant's mother and on
one Nageshwar Das to attack by knife on the informant's
mother.

Learned counsel for the petitioner submits that in the F.I.R. itself the cause of dispute is due to agricultural land in which onion was planted. Learned counsel for the petitioner further submits that petitioner is in custody since 24.05.2022 and is a simple villager. On the point of criminal antecedent, learned counsel for the petitioner submits that there is one criminal case pending against the petitioner, in which he is on bail. He further submits that from injury report it transpires that, a hair line fracture was there.

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 J.M.-1st Class, Jamui in connection with Laxmipur (Gidhaur) P.S. Case No. 145 of 2020, 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	
---	--	---	--