

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40643 of 2022

Arising Out of PS. Case No.-207 Year-2021 Thana- JADIA District- Supaul

SURAJ ORAON Son of Khushi Lal Oraon Resident of village- Pothiya Ward
No. 14, Tola Muriyari Panchayat Sirsiya P.s- Bhargama, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patla Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner, State and
learned counsel for the Informant.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with S.T.
No. 58 of 2022 arising out of Jadia P.S. Case NO. 207 of 2021
under Sections 147, 148, 149, 323, 341, 324, 307, 379, 504 and
506 of the Indian Penal Code.

As per the prosecution story, the informant alleged
that the petitioner first asked for ransom money and upon
refusal, it is alleged that he assaulted him by means of ‘farsa’
causing injury on his head. As a result, he fell down and became
unconscious. Further allegation is of snatching of golden chain
from the neck of victim Raja Mandal as also Rs. 10,000/- from



Ravindra Mandal. All the injured were brought to Sub-divisional Hospital from where Ravindra Mandal was referred to Sadar Hospital, Supaul.

Learned counsel for the petitioner submits that earlier occurrence is of 25.09.2021 but the FIR has been lodged on 27.09.2021. He further has brought on record supplementary affidavit to show that the initial injury report has shown the injury on the person of Ravindra Mandal are simple in nature although he concedes that the CT scan has recorded one of them to be fatal in nature. His further submission is that considering the fact that both belongs to the same village for the injury and the treatment of the informant has suffered, he on his own would like to contribute towards medical expenses of Rs. 10,000/- through demand draft issued by the local Branch of State Bank of India irrespective of the outcome of the present bail application.

Learned APP after going through the supplementary affidavit concedes that the initial injury report shows both the injuries are simple in nature, however, he submits that CT scan show that one of them is vital in nature.

Considering the fact that he is in custody since 01.12.2021, has no criminal antecedent, initial injury has been



shown to be simple in nature and charge sheet stands submitted, this Court is inclined to grant him privilege of bail, subject to payment of Rs. 10,000/- to the informant through demand draft issued by the State Bank of India, local Branch to be submitted before the learned trial Court and in turn to be handed over to the informant.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Supaul in connection with Sessions Trial No. 58 of 2022 arising out of Jadia P.S. Case No. 207 of 2021, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha-

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