

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41836 of 2022

Arising Out of PS. Case No.-956 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. RAMESH THAKUR Son of Late Shakal Thakur
 2. Nishu Kumar Son of Ramesh Thakur
 3. Rishu Kumar Son of Ramesh Kumar
All Resident of Village - Bijulpur, Ward no. 11, P.S.- Turkauliya, Distt.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-11-2022 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 petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341,323,324,325,307,379,504,506/34 of IPC.

The prosecution case, in short, is that on 15.12.2021 the informant was going to his field on his tractor for farming and in the way when the informant reached in front of house of Lal Babu Sah, all the petitioners surrounded the informant and abused him and petitioner Nishu Kumar with an intention to



commit murder gave farsa blow on the head of the informant, causing cut injury and bleeding, thereafter sustaining injury, the informant fell down on the ground and petitioner Rishu Kumar assaulted the informant with iron rod causing fracture of his left hand. When the father of informant came to save the informant, petitioner Ramesh Thakur with an intention to commit murder gave farsa blow on his head, causing cut injury and bleeding. Petitioner Rishu snatched Rs.35,000/-from the pocket of the informant.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to Panchayat Election. He further submits that both the parties are Patidars and there is admitted land dispute between the parties. Further submits that there is case and counter case and all the injuries, except one, are simple in nature. Further submits that one injury is grievous in nature but the same is not on the vital part of the body of the informant.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or



surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Turkauliya P.S.Case No.956 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

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