

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42161 of 2022**

Arising Out of PS. Case No.-17 Year-2022 Thana- JAMOBABAZAR District- Siwan

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BABLOO SINGH @ MANORANJAN SINGH Son of Late Dudhnath Singh
R/o Village - Barhoga Kothi Pachpatiya, P.S.- Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341,323,307,504,506/34 of IPC.

Allegation against the petitioner is that he attacked on the head and whole body of the informant by means of lathi who is priest of Devi Mandir situated at Warhoga Kothi and the mother of the petitioner is instigating him to assault the informant by axe.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that due to quarrel of children of both sides, the present incident has happened. Further submits that the allegation against the petitioner, as alleged in the FIR, is that he assaulted at the head of the informant but the injury report of the informant suggests that out of four injuries, three are simple in nature and with respect to one injury, expert opinion is awaited.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and nature of allegation, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jamo Bazar P.S. Case No. 17 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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