

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53030 of 2021**

Arising Out of PS. Case No.-190 Year-2021 Thana- KANTI District- Muzaffarpur

=====

MD. SHAHID SON OF ABDUL QAIYUM R/O VILLAGE-
DAMODARPUR, P.S.- KANTI, DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

=====

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

3 04-04-2022 Heard learned counsel for the petitioner as well as

learned counsel for the informant and the learned A.P.P. for

the State.

The petitioner seeks bail in a case registered for

the offence under Sections 341, 323, 326, 307, 379, 506, 504

and 34 of the Indian Penal Code.

The informant along with his wife and brother are

alleged to have been assaulted by the accused persons by

deadly weapons as result thereof, they sustained severe

injuries.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He



further submits that there was a free fight between the parties on account of a land dispute in which both the parties have sustained injuries for which case and counter case have been lodged by them. Moreover, though according to the F.I.R. the allegation of giving bhujali blow on the head of the informant is attributed to the petitioner but the injury report does not corroborate with the allegation made in the F.I.R. as the injury report suggests that the injuries sustained by the informant are simple in nature. The petitioner is rotting in judicial custody since 13.07.2021.

Learned A.P.P. for the State as well as learned counsel for the informant have, vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Kanti P.S. Case No. 190 of 2021 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 canceled 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)

brajesh/-

U		T	
---	--	---	--

