

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44468 of 2022

Arising Out of PS. Case No.-159 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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1. AJAY VERMA @ AJAY KUMAR VERMA Son of Ramashray Prasad Verma
 2. Rishav Verma @ Rishabh Kumar Son of Ajay Verma @ Ajay Kumar Verma
Both are R/v- Pashchim Kargahiya near Gulab Memorial, P.S- Bettiah Town , Dist West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai,Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2022 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 341,323,324,307,504,506,379/34 of IPC.

The prosecution case, in short, is that the informant alleged that petitioner No.1 gave sword blow which could not hit him, then petitioner No.2 gave iron rod blow causing injury on his head then all the accused persons assaulted with Lathi



and Fat.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to land dispute. Further submits that in fact the petitioners have committed no offence as alleged in the FIR and the injury report does not support the allegation as alleged in the FIR and the injury report of the informant suggests that the injury is simple in nature.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that the petitioner carry one more case 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 Bettiah Town P.S. Case No.159 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) 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)

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