

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47464 of 2022**

Arising Out of PS. Case No.-69 Year-2020 Thana- CHAKAND District- Gaya

Rajendra Paswan Son of Munshi Paswan Resident of village - Lakhno, P.S.-
Chakand, District - Gaya (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the
defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Prem
Kumar Jha, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Chakand P.S.Case No. 69 of 2020 registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
307, 379, 354, 504 and 506 of the Indian Penal Code. He is in
custody since 02.06.2022. The petitioner has got one criminal
antecedent.

Learned counsel for the petitioner submits that as per
the prosecution story, when the mother of the informant went to
ease out in the field, five persons including this petitioner
started abusing her and came to the house of the informant. In



the meantime, 6 to 7 other accused persons also came there and starting assaulting the informant and other family members of the informant, vandalised his home and stole some articles from his shop.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the parties have now entered into a settlement. It is submitted that the petitioner is in custody in connection with this case since 02.06.2022 having no criminal antecedent.

Mr. Prem Kumar Jha, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, even as there is an allegation that this petitioner had given one iron rod blow on the head of the injured but the fact being that both the parties have now entered into settlement and the petitioner is in custody since 02.06.2022, there being no criminal antecedent of the petitioner save and except Chakand P.S. Case No. 68 of 2020 which has been registered by the same informant and there being no submission on behalf of the State that the release of the petitioner is likely to result in tampering



with the evidence or interfering with the course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Miss. Kritika Dewedi, learned Judicial Magistrate 1st Class, Gaya in connection with Chakand P.S. Case No. 69 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

vats/-

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

