

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54198 of 2021**

Arising Out of PS. Case No.-245 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

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SANJEET KUMAR SON OF LATE KAPILDEO RAI RESIDENT OF
VILLAGE- BISHUNPUR BALADHARI PS - BALWAKUWARI DIST-
VAISHALI-844102

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr. A.P.P.

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

2 20-01-2022 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 the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 245 of 2020 registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

The petitioner along with his associates are alleged to have assaulted the informant and his rescuer by means of deadly weapons, resultantly, the informant and others sustained sever 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. In fact, there is general and omnibus allegation against the petitioner and no specific accusation of assault is attributed to him. According to the F.I.R., it is the co-accused, Modi Kumar, who gave sword blow on the neck of the informant with intention to kill him and the co-accused, Manish Kumar along with Anish Kumar who are said to have given dagger blow on the abdomen of Suresh Rai. Moreover, the co-accused, namely, Ashok Kumar has already been granted bail by this Court vide order dated 12.01.2022 passed in Cr. Misc. No. 54515 of 2021 and one more co-accused, Pintu Kumar has also been granted bail by a co-ordinate Bench of this Court vide order dated 16.04.2021 passed in Cr. Misc. No. 5618 of 2021. The petitioner is rotting in judicial custody since 22.12.2020.

Learned A.P.P. for the State has 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 245 of 2020 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)

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