

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45382 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- SAKRA District- Muzaffarpur

ARUN PRASAD Son of Late Chathu Prasad R/v- Keshopur Ward no. 11, P.S-
Sakra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2022 Learned counsel for the petitioner is permitted to
remove the defect (s), as pointed out by the office, if any,
within a period of four weeks from today.

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
147,148,149,341,323,324,325,307,354,379,504 of IPC.

Allegation against the petitioner is that he assaulted
to the informant and his son by means of Lathi, Danda, Spade
etc. causing injury on the non-vital part of the body.

Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been



implicated in the present case. Further submits that there is general and omnibus allegation against the petitioner and there is admitted land dispute between the parties and the petitioner and informant is own brother. Further submits that the allegation against the petitioner is that he assaulted to the informant and his son and the nature of injury inflicted in the alleged assault which shows that one injury is grievous but in fact the same is not on the vital part of the body of the injured person.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the fact and circumstances of the case, 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 Sakra P.S. Case No. 54 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, 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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