

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46795 of 2022

Arising Out of PS. Case No.-213 Year-2020 Thana- SUPAUL District- Supaul

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1. Madan Ram Son Of Late Bihari Ram R/O Village- Chandail, P.S.- Supaul, District- Supaul, State- Bihar- 852130
 2. Dilip Kumar @ Dilip Ram Son Of Madan Ram R/O Village- Chandail, P.S.- Supaul, District- Supaul, State- Bihar- 852130

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the informant and learned A.P.P. for the State.

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

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 143, 149, 341, 323, 504, 308, 380, 379, 354A, 427 and 506 of the Indian Penal Code.

According to the prosecution case, all the F.I.R. named accused persons assaulted the informant and his family



members because of some political issues.

Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties. He further submits that the allegation in the F.I.R. is false and fabricated. He further submits that the injury report of the father of the informant is grievous in nature but the injury is not on the vital part of the body.

The learned counsel for the informant as well as State have vehemently opposed the prayer for bail of the petitioners and submits that the injury is grievous in nature.

Considering the aforesaid facts and circumstances, 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) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Supaul P.S. Case No. 213 of 2020, 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 bond shall be cancelled by the Court below.

2. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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 his criminal antecedent, 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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