

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57786 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

Subhash Kumar Son of Ram Vilash Rai R/O Village - Gosaipur, P.S.-
Siwaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Siwaipatti P.S.
Case No. 67 of 2021 registered for the offences punishable
under Sections 341, 323, 307, 504, 34 of Indian Penal Code.

According to prosecution case, informant Santosh
Kumar has given statement before the officer-in-charge of
Siwaipatti police station alleging there that his agnates were
quarreling and they have damaged his window, when informant
asked for that then all the accused persons have started beating



him and also abused the informant and when the brother of informant tried to save him then all have started assaulting to his brother also with the hard blunt objects.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. itself that both the parties are agnates and there is general and omnibus allegation against all the accused persons. The petitioner is in custody since 27.06.2021.

The learned Additional Public Prosecutor opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Sri Pramod Kumar Mahtha, Judicial Magistrate, 1st Class, Muzaffarpur in connection with Siwaipatti P.S. Case No. 67 of 2021 corresponding to G.R. No. 2473 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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