

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.48088 of 2022**

Arising Out of PS. Case No.-93 Year-2022 Thana- KALYANPUR District- East Champaran

Ramadhar Sahni Son of Late Mithu Sahni Resident of Village - Siswa Kharar,
P.S.- Kalyanpur, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

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

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Kalyanpur P.S. Case No. 93 of 2022 dated 20.03.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 325, 458, 504, 385, 506 & 379 of the Indian Penal Code. He is in custody since 25.06.2022. The petitioner has got one criminal antecedent in which he is said to be on bail.

Learned counsel for the petitioner submits that as per the prosecution story, the allegation against the petitioner is that



he along with other named accused persons were assaulting the son of the informant for fulfillment of demand of rangdari.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that there is a case and counter case and this petitioner is said to assaulted the son of the informant who has received simple injuries. It is submitted that the petitioner is in custody in connection with this case since 25.06.2022.

Mr. Akhileshwar Dayal, 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, there being a case and counter case, this petitioner is said to have assaulted the son of the informant who has received simple injuries, in connection with this case the petitioner has remained in custody since 25.06.2022, 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 learned Chief Judicial Magistrate, Motihari, District- West Champaran in connection with Kalyanpur P.S. Case No. 93 of



2022, 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)

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