

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.48795 of 2022**

Arising Out of PS. Case No.-188 Year-2021 Thana- BALRAMPUR District- Katihar

Satya Narayan Das @ Satyanarain Das S/o Late Paltu Das R/o village- Palsa,
P.S.- Balrampur (Telta O.P.), District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Dinesh Singh, APP

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

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

Heard learned counsel for the petitioner and Mr. Dinesh Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Balampur (Telta) P.S. Case No. 188 of 2021 registered for the offences punishable under Sections 341, 323. 307, 504, 506/34 of the Indian Penal Code. He is in custody since 25.06.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 06.12.2021 when the informant (elder brother of the petitioner) came from the field then his wife was quarreling with family members of the petitioner. In the meantime, Satya Narayan Das (petitioner), Lila Devi, Puja Devi



and Rupa Kumari came there and started abusing him and on protest, they assaulted on his head with Khanti as a result of which blood started oozing out and he became unconscious. It is also alleged that they assaulted his son also.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is in custody in connection with this case since 25.06.2022 having no criminal antecedent.

Learned counsel submits that the petitioner and the informant are full brothers and there is no specific allegation against this petitioner.

Mr. Dinesh Singh, 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 and the submission that the petitioner and the informant are full brothers and the allegations of assault are general and omnibus, the petitioner has remained in custody for almost six months, investigation against him is complete and he has otherwise no criminal antecedent, 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 A.C.J.M.-VI, Katihar in connection with Balrampur (Telta) P.S. Case No. 188 of 2021, 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)

lekhi/-

U		T	
---	--	---	--

