

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49567 of 2022

Arising Out of PS. Case No.-250 Year-2020 Thana- BANMANKHI District- Purnia

1. MD. WASIM @ WASIM AKRAM, S/O LATE MUSA ALI, Resident of village- Dharhara Ansari Tola, Ward No- 06, P.S.- Banmankhi, District- Purnia.
2. MD. PRINCE @ TOHSIN ALAM, S/O MD. TANVEER, Resident of village- Dharhara Ansari Tola, Ward No- 06, P.S.- Banmankhi, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-12-2022 This matter has been listed for consideration through
Video Conferencing.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with
Banmankhi P.S. Case No. 250 of 2020, registered for the
offence punishable under Sections 341, 323, 324, 307, 379 and
34 of the Indian Penal Code.

As per prosecution case, the informant alleged that
some unknown miscreants gave sharp edged weapon blow on



the son of the informant due to which he sustained injury on his head as well as on his finger while he was coming by Cycle to his house.

Learned counsel for the petitioners submits that petitioners are in custody since 05.07.2022. The petitioners are innocent have falsely been implicated in the present case. Petitioner no. 2 bears no criminal antecedent, whereas petitioner no. 1 has one criminal antecedent in which he is on bail. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned APP for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Purnia in connection with Banmankhi P.S. Case No. 250 of 2020, subject to following conditions:-

(i) 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 his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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