

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60413 of 2021**

Arising Out of PS. Case No.-120 Year-2021 Thana- ALOULI District- Khagaria

NAND KISHORE SINGH S/O LATE SURESH SINGH R/o village- Nista,
Haripur, P.S.- Alauli, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv
For the Opposite Party/s : Mr.Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 09-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Alouli P.S.Case No.120 of 2021 registered for the offence under Sections 147, 148, 149, 348, 341, 323, 324, 307, 504, 506, 354, 379, 427, 326/34 of the Indian Penal Code.

The prosecution case, in short, is that on 29.03.2021 at about 5.P.M., FIR named accused persons armed with iron rod, farsa, knife, sword entered into the house of informant and started to abuse him. Informant further alleged that accused persons are manufacturer and seller of Mahua wine and have



alleged that due to informant's information to police, police has made raid to his house. They always used to threaten to kill him due to such act. He further alleged that they started to assault him and accused Sulendra in order to kill him has exercised iron rod on his head which became rupture and bleeding started from it. He further stated that he became unconscious due to assault of accused person and accused person took out Rs.4500/- from him. He further alleged that accused Nandlal used sword on the mouth of his son Kanhaiya Kumar and as a result of it he received injuries on his lips, nose and head. He also became unconscious due to excessive bleeding from injured part. He further alleged that accused Sulendra used knife towards his stomach and he also received serious injury due to this. He also stated that his son is still not in a position to talk frankly with others due to such injury. He also alleged that they also misbehaved with female members of his family and threatened also to institute false case against him.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR itself that there is no specific allegation against the petitioner rather the specific allegation of assault is against one



co-accused, namely, Sulendra and Nand Lal Singh. He further submits that there is general and omnibus allegation against the petitioner and the petitioner is in custody since 06.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Chief Judicial Magistrate, Khagaria in connection with Alouli P.S.Case No.120 of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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)

Nitesh/-

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

