

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62509 of 2021

Arising Out of PS. Case No.-236 Year-2019 Thana- SHIVSAGAR District- Rohtas

CHANDAN KUMAR Son of Bhagwan Singh Resident of Village - Berukahi,
P.S.- Sheosagar, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv. Mr. Preety Kunwar, Adv.
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP
For the informant	:	Mr. Rabindra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-04-2022 Heard learned senior counsel for the petitioner
and learned counsel for the informant as well as learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 341, 323, 325, 307, 504/34 of
the Indian Penal Code.

The informant and her son are said to have been
assaulted by the petitioner by means of danda as a result of
which he sustained injury on his head.

Learned senior counsel appearing for the
petitioner submits that the petitioner is innocent and has
falsely been implicated in this case. In fact, the petitioner
and the informant are agnates and there is land dispute



between them and on account thereof, the petitioner has falsely been implicated in this case. He further submits that the petitioner is alleged to have inflicted grievous head injury by means of danda to the son of the informant but no allegation of repetition of blow is attributed to him. So far as injury sustained by the informant is concerned, the doctor has opined that they simple in nature. The petitioner is rotting in judicial custody since 10.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Court below where the case is pending in connection with Sheosagar P.S. Case No. 236 of 2019 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 canceled 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)

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