

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63962 of 2021**

Arising Out of PS. Case No.-16 Year-2021 Thana- GOBARDHANA District- West
Champaran

VINOD GIRI Son of Mainejarpuri @ Manejar Giri Resident of Village-
Khapahwa Dih, Hariharpur, P.S.- Gobardhana, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Adv
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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

2 08-04-2022 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 learned
APP for the State in virtual Court proceeding.

The petitioner is languishing in custody for the
offence punishable under Sections 341,323,324,353,504,506
and 34 of the Indian Penal Code.

Allegation against the petitioner and other co-accused
to make attempt of cutting a green Sal tree. When forest
personnel tried to catch them, one of the accused persons gave
axe blow to the informant due to which he sustained head injury
and fell down on the ground.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. There is no specific allegation of assault against the petitioner. He further submits that the injury report of the informant the same has been found simple in nature caused by hard and blunt object and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 06.09.2021.

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

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 Court below where the case is pending in connection with Gobardhana P.S. Case No. 16 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)

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