

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.59446 of 2022**

Arising Out of PS. Case No.-212 Year-2022 Thana- LALGANJ District- Vaishali

Pavan Kumar Son of Umesh Thakur @ Umesh Sharma Resident of Village -
Kamalpur, P.S.- Lalgbanj, Distt.- Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 23-12-2022 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Lalganj P.S. Case No. 212 of 2022 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code. He is in custody since 18.06.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, on 01.06.2022 at 07:30 P.M., the informant was sitting at his door and was talking about burning electric wires. Suddenly Pawan Kumar (Petitioner) came with an iron rod and hit the informant's body causing head injury and fracture in hand. When the wife of the informant Sheela Devi came to rescue him then Umesh Thakur, Junglee Devi, Anita Devi, Akash Kumar, Kaushal Kumar brought sticks, sharp weapons, axes, iron rods, danda and



assaulted him and his wife and both were injured.

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 has no criminal antecedent and he is in custody in connection with this case since 18.06.2022.

Mr. Akhileshwar Dayal, 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 wherein it is the submission of learned counsel for the petitioner that even as the allegation against the petitioner is that of giving assault to the informant causing grievous injury on the hand and one simple injury on the head, the petitioner has no criminal antecedent and he has remained in custody in connection with this case for more than six months, the investigation against him is complete and he is ready to abide by such terms and conditions which may be imposed to secure his presence in course of trial, further submission that in fact the petitioner and his family members were assaulted by the informant and his family members were assaulted by the informantg and his family members and in this regard, he has filed a complaint case bearing no. 1903 of 2022 in the court, there being no submission on behalf of the State at this stage that the release of the petitioner is likely to result in tampering with the evidence or interfering with the course of trial, 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 Additional Chief Judicial Magistrate-II, Vaishali in connection with Lalganj P.S. Case No. 212 of 2022, 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.

(Rajeev Ranjan Prasad, J)

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