

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.55229 of 2022**

Arising Out of PS. Case No.-73 Year-2020 Thana- SAKURABAD District- Jehanabad

Premchand Kumar Son of Late Chandeshwar Prasad R/V- Barhauna, P.S-
Sakurabad, Dist- Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

For the Informant : Mr. Nityanand Neeraj, Advocate

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

2 16-12-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Narsingh Tanti, learned A.P.P.
for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Sakurabad P.S. Case No.73 of 2020
registered for the offences punishable under Sections 341, 323,
353, 379 and 504/34 of the Indian Penal Code. He is in custody
since 05.07.2022. He has got nine criminal antecedents.

Learned counsel for the petitioner submits that as per
the prosecution story, on 15.05.2020 at about 1.45 PM the Block
Pramukh namely Prem Chand Kumar (petitioner) called the
informant in his office and assaulted him by throwing a glass on
his head due to which he received injury on his head and torn
the ration card forms and official documents. It is further alleged



that co-accused Yogendra Mishra snatched Rs.5000/- from his pocket.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the allegations levelled in the FIR against the petitioner are false and flimsy. It is submitted that the petitioner is in custody since 05.07.2022.

Learned counsel for the informant has opposed the prayer for bail of the petitioner, however no material has been brought to the notice of this Court showing any serious injury caused to the informant.

Having regard to the facts and circumstances of the case, the nature of the allegations and that the petitioner has remained in custody in connection with this case since 05.07.2022, in the cases stated in paragraph '3' he is said to be on bail and so far as the present case is concerned, investigation against him is complete and his presence may be secured in course of trial, this Court directs release of the petitioner above named 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 Judicial Magistrate-1st Class, Jehanabad in connection with Sakurabad P.S. Case



No.73 of 2020, 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 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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