

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67736 of 2021

Arising Out of PS. Case No.-674 Year-2020 Thana- BAGHA District- West Champaran

BHIKHARI BIN Son of Sunar Bin Resident of Village- Sikatiya
Machhargawa, P.S.- Bagaha, 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.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 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.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 379, 307, 325, 504, 506 and 34 of the IPC.

Allegation against the petitioner is of assaulting the Informant by means of Farsa.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the allegation against the petitioner, as per FIR, is that he assaulted the informant with



Farsa blow but the injury report does not corroborate the allegation as alleged in the FIR. He further submits that the present FIR is counter blast of Bagaha P.S.Case No.675 of 2020 filed by the family member of the petitioner against the family members of the informant and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.08.2021.

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 Court below where the case is pending in connection with Bagaha P.S. Case No.674 of 2020, 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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