

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56892 of 2022

Arising Out of PS. Case No.-264 Year-2020 Thana- BIKRAM District- Patna

1. Vinod Saw Son Of Late Shiv Pujan Saw Resident Of 30, Taripar, Tari P.S- Bikram, District- Patna- 801104.
2. Subodh Saw Son Of Late Shiv Pujan Saw Resident Of 30, Taripar, Tari P.S- Bikram, District- Patna- 801104.
3. Munna Saw @ Luteru Saw Son Of Late Shiv Pujan Saw Resident Of 30, Taripar, Tari P.S- Bikram, District- Patna- 801104.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307, 379 and 34 of Indian Penal Code.

According to prosecution case, in brief, is that on 27.08.2020 at around 07:30 the informant namely, Sobhnath Sharma returning to his home at raripar then the petitioners along with the other co-accused persons attacked the informant



using the pistol on his right side of head. The informant due to the hit on his head fallen on the ground and all the accused persons including the petitioners attacked the informant using lathi and danda by which he become unconscious and when the family members of the informant intercepted they were also beaten. Later when the informant come into his conscious he found that his two bhar gold chain and 10,000 rupees is missing.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties and the police after investigation submitted the charge-sheet against the petitioners under Sections 341, 323, 504, 506, 325 and 34 of Indian Penal Code and on the basis of protest petition filed by the informant in the learned Court below against the petitioners under Sections 341, 323, 504, 506, 325, 307 and 34 of the Indian Penal Code. He further submits that the injury report of the informant is simple in nature (Annexure -3).

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or



surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bikram P.S. Case No. 264 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail



bond of the petitioners. 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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