

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59259 of 2022

Arising Out of PS. Case No.-648 Year-2022 Thana- MADHEPURA District- Madhepura

1. Pankaj Singh @ Pankaj Kumar Singh S/O- Late Kuldip Singh Resident of village- Arraha, Ward No- 01, P.S- Madhepura (Ghailarh O.P), District- Madhepura, PIN- 852124
2. Mohan Singh S/O Mukesh Singh Resident of village- Arraha, Ward No- 01, P.S- Madhepura (Ghailarh O.P), District- Madhepura, PIN- 852124

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 379, 504 and 506 of the Indian Penal Code.

According to the prosecution case, all the accused persons including the petitioners assaulted the informant and his brother with the iron rod and as a result they both sustained injuries.



Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. He further submits that there is case and counter case between the parties. He further submits that there is no specific allegation of any assault or overt act. He further submits that the injury report of the injured person suggests that all the injuries are simple in nature except the one.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioners carries one more case other than the present one..

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 Madhepura (Ghailarh O.P.) P.S. Case No. 648 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 tampers 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 his 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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