

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70825 of 2021

Arising Out of PS. Case No.-690 Year-2021 Thana- GARKHA District- Saran

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ARUN RAI SON OF SACHITANAND RAI @ JUGUL RAI RESIDENT OF
VILLAGE- HIMMATPUR, P.O GOPUR, P.S- GARKHA, DIST- SARAN AT
CHAPRA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-10-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State .

The petitioner seeks bail in connection with

Garkha P.S. Case No. 690 of 2021 registered for the offences

punishable under Sections 147, 148, 149, 323, 324, 307, 504,

379, and 506 of the IPC.

As per prosecution case, petitioner and others

assaulted the victim, Avinash Kumar, with intention to kill him

as a result of which he sustained injury. It is further alleged that

when informant tried to save the victim, petitioner and other co-

accused also assaulted the informant due to which informant



also sustained injury.

Learned counsel for the petitioner submits that petitioner is in custody since 09.10.2021 and bears no criminal antecedent. He further submits that so far as statement of victim is concerned, victim has not stated the name of the present petitioner that he has assaulted him. Allegation against the petitioner is general and omnibus in nature. There is no specific allegation against the petitioner. He further submits that there is case and counter case for the same date of occurrence whereby facts are generally exaggerated. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Chandra Bose Kr. Singh, learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Garkha P.S. Case No.690 of



2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

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