

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.262 of 2022

Arising Out of PS. Case No.-87 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

1. Amarjit Kumar S/o Ramesh Mahto Resident of Village - Ramnagar Naya Tola, P.S.- Chapra Muffasil, Distt.- Saran at chapra.
2. Triloki Mahto S/o Rama Nand Mahto Resident of Village - Ramnagar Naya Tola, P.S.- Chapra Muffasil, Distt.- Saran at chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rajani Kumari, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-07-2022 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 petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 341, 324, 326, 307, 387, 506/34 of the Indian Penal Code.

As per prosecution story, in brief, is that on 28.02.2021 at 9:00 P.M. the informant along with his brother were running a tea shop near Ramnagar Railway Dhala. In the meantime, accused petitioners came and demanded Rs. 200/- as *rangdari* and threatened them to kill if non-fulfillment of the



same. It is further alleged that petitioner no. 2 caught the hand of brother of the informant and petitioner no. 1 assaulted with knife repeatedly in abdomen causing injury.

Learned counsel for the petitioners submits that the petitioner no. 1 carries one more case other than the present one whereas petitioner no. 2 has clean antecedents. Learned counsel for the petitioners submits that it appears from the F.I.R. that the allegation against petitioner no. 2 is that he caught the hand of the informant's brother and petitioner no. 1 assaulted with knife to the informant's brother. He further submits that the injury report suggests that the injury caused by sharp cutting edge weapon which is simple in nature and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 02.03.2021.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 348 of 2021



arising out of Chapra Muffasil P.S. Case No. 87 of 2021, with 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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