

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9200 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- SHAMBHUGANJ District- Banka

1. HANSRAJ KUMAR @ HANSRAJ BHAGAT Son of Uma Shankar Bhagat R/v- (Bharat Shila) Bari Bharatshila, P.S.- Shambhuganj, District- Banka
2. UMASHANKAR BHAGAT @ UMESH BHAGAT Son of Late Bishwanath Bhagat R/v- (Bharat Shila) Bari Bharatshila, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 4 08-08-2023 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. Petitioners, who are in custody since 17.10.2022 seek bail in connection with Shambhuganj P.S. Case No.253/2022, dated 25.09.2022, G.R. No.2971/2022, registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the I.P.C.
3. According to prosecution case, the petitioners are alleged to have assaulted the informant and his elder brother namely Arun Kumar Sah causing head injury.
4. Learned counsel for the petitioners submits that the petitioners have clean antecedent and they have falsely been



implicated in the present case due to admitted land dispute. He further submits that there is case and counter case between the parties. The allegation against the petitioners is that they have assaulted the informant and his relative namely Arun Kumar Sah but the injury report of Arun Kumar Sah as well as informant suggests that all the injuries are simple in nature and the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 17.10.2022.

5. Learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances as well as period of custody, let the petitioners, above named, 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 C.J.M. I/c, Banka in connection with Shambhuganj P.S. Case No.253/2022, G.R. No.2971/2022, subject to 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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