

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2473 of 2023**

Arising Out of PS. Case No.-184 Year-2022 Thana- PASRAHA District- Khagaria

Suresh Singh, Son of Late Viranchi Singh, Resident of village- Dina Chakla,  
P.S.- Pasraha, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

**CRIMINAL MISCELLANEOUS No. 3343 of 2023**

Arising Out of PS. Case No.-184 Year-2022 Thana- PASRAHA District- Khagaria

Jeevan Singh @ Jivan kumar, S/O Suresh Singh, Resident of village- Dina  
Chakla, P.S.- Pasraha, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 2473 of 2023)

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party : Mr. Arun Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 3343 of 2023)

For the Petitioner : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      27-04-2023                      Since both the applications are arising out of the same  
  
police station, hence both the matters have been heard together  
  
and disposed of by a common order with the consent of the  
  
parties.

Heard Mr. Praveen Kumar Agrawal, learned counsel  
  
for the petitioners and learned APP for the State.

The petitioners seek regular bail, who are in custody



in connection with Pasraha P.S. Case No. 184 of 2022 registered for the offences punishable under Sections 447, 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

It is alleged that while the father of the informant was sitting at his door, in the meanwhile, the petitioners and the wife of Suresh Singh armed with Danda and iron rod barged into his house and started assaulting his father. It is alleged that the petitioner (Jeevan Singh) caught hold his father and thereafter petitioner (Suresh Singh) assaulted on his head, causing serious injury. Further allegation has been made of snatching Rs. 2,000/- from the pocket of his father.

Learned counsel appearing on behalf of the petitioners submits that in fact there is a long standing dispute between the parties, apart from there is a counter version of the present case, being Pasraha P.S. Case No. 183 of 2022, which is earlier on the point of time, lodged by the wife of the petitioner (Suresh Singh). He further submits that the prosecution case does not corroborate by the injury report wherein the injury has been found to be simple in nature, caused by hard and blunt substance. He next submitted that the petitioners are in custody since 08.10.2022 and the charge-sheet has already been submitted and, as such, there is no chance of tampering with the evidence or absconding of the petitioners.



On the other hand, learned APP for the State opposed the bail applications and submits that specific allegation has been levelled against the petitioners and moreover both the petitioners are named in one another case being Pasraha P.S. Case No. 49 of 2010.

Regard being had to the submissions made on behalf of the parties and considering the injury report suggesting simple injury, coupled with the fact that after completion of investigation, charge-sheet has been submitted, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Khagaria in connection with Pasraha P.S. Case No. 184 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioners with further conditions which are as follows:-

- (i) The petitioners will cooperate in conclusion of the trial.
- (ii) They will remain present on each and every date of trial till disposal of the case.
- (iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates



without any cogent reason, their bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioners. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J)**

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