

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2353 of 2023

Arising Out of PS. Case No.-126 Year-2020 Thana- GHORASAHAN District- East
Champaran

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SUMAN SINGH @ SUMAN KUMAR SINGH Son of Late Ragho Singh @
Ragho Sharan Singh R/v- Bhelwa, P.S.- Ghorasahan, District- East
Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in a case registered for the
offence under Sections 147,341,323,324,307,325,379,504/34 of
IPC and Section 27 of the Arms Act.

Allegedly, while the informant was going to market
for purchasing the vegetables, in the way, all the accused
persons armed with weapon, started abusing on the road and
also assaulted him. While the brother of the informant came to
rescue, he was also assaulted, as a result of which, the
informant's brother sustained injury. The other persons were
also assaulted.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that there is case and counter case. Further submits that both sides have sustained injury. Further submits that the allegation as alleged in the FIR is that the petitioner has assaulted to the informant, namely, Madan Lal Prasad but the injury report of Madan Lal Prasad suggests that the injury is simple in nature. Further submits that Uma Shankar Rai @ Uma Shankar Prasad has assaulted the father of the petitioner and the injury of the father of the petitioner was grievous in nature and he has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 14.12.2021 passed in Cr. Misc. No.37767 of 2020 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.11.2022.

Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is



pending in connection with Ghorasahan P.S.Case No.126 of 2020 with the following conditions:-

(1) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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