

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8413 of 2023

Arising Out of PS. Case No.-30 Year-2022 Thana- Dehri Mufassil District- Rohtas

Sanjay Bhuiyan S/o Late Shankar Bhuiyan R/v- Suara Bhuiyan Tola, P.S.-
Dehri (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
23.06.2022, in connection with Sessions Trial No. 431 of 2022
arising out of Dehri (M) P.S. Case No. 30 of 2022, F.I.R. dated
24.02.2022 registered for the offences punishable under
Sections 341, 323, 307, 504, 506 and 326 of the Indian Penal
Code.

Allegation against the petitioner is of assault with axe
upon the son of the informant due to which he sustained injured.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that from a bare perusal of the F.I.R. it appears that the petitioner has assaulted the informant with *axe* and there was no repetition of blow and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 23.06.2022.

Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner, and submits that there is direct and specific allegation against the petitioner that he has assaulted the son of the informant.

In view of the aforesaid facts and circumstances of the case and the period of custody, 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 19th Additional Sessions Judge, Rohtas at Sasaram, in connection with Sessions Trial No. 431 of 2022 arising out of Dehri (M) P.S. Case No. 30 of 2022, subject to 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 absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, 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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