

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6674 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- PALIGANJ District- Patna

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Pintu Kumar S/O Ram Bali Singh Resident of Village- Chakiya, P.O.-
Kurkuri, P.S.- Paliganj, District- Patna. At present Mohalla- Utteri Mandiri,
Dwarika School, P.S.- Budha Coloney, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
07.08.2022, in connection with Paliganj P.S. Case No. 295 of
2022, F.I.R. dated 12.07.2022 registered for the offences
punishable under Sections 341, 323, 307, 379, 504 and 302/34
of the Indian Penal Code.

As per F.I.R. the allegation against the petitioners is
that they came and on order of co-accused persons namely Ram
Bali Singh and Vishesh Kumar started assaulting the informant
and her husband due to which her husband succumbed to injury.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case due to admitted land dispute. 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. He further submits that it appears from the F.I.R. that on the advice of co-accused persons namely Ram Bali Singh and Vishesh Kumar the petitioner has assaulted the husband of the informant. He further submits that both the parties are agnates and co-accused persons namely Ram Bali Singh and Vishesh Kumar have been granted bail by a Coordinate Bench of this Court vide order dated 19.06.2023 passed in Cr. Misc. No. 3698 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 07.08.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Sub-Divisional Judicial Magistrate, Danapur, Patna in connection with Paliganj P.S. Case No. 295 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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