

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10505 of 2023

Arising Out of PS. Case No.-182 Year-2021 Thana- DARPA District- East Champaran

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WASI AHMAD @ SHEIKH MOHAMMAD @ SK. MOHD S/O LATE
SHEKH KHALIL @ SK. KHALIL Resident of village- Siswaniya, P.S.-
Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Darpa
P.S. Case No. 182 of 2021 dated 22.11.2021 registered for the
offence under Sections 147, 149, 341, 323, 324, 307, 354A,
379, 504 and 506 of the Indian Penal Code.

The petitioner is alleged to have gave an axe blow
on the head of nephew of the informant causing him deadly
injury. It is also alleged that the wife and daughter of the
informant were subjected to outrage the modesty at the
instance of co-accused.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case due to admitted land dispute between the parties. He further submits that there is case and counter case between the parties. He further submits that on bare perusal of the F.I.R., it appears that the petitioner gave axe blow on the head of the nephew of the informant but the injury report suggest that the injury inflicted by the petitioner is simply in nature. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 08.10.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 S.D.J.M., Raxaul at Motihari in connection with Darpa P.S. Case No. 182 of 2021 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 canceled 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.

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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