

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9535 of 2023

Arising Out of PS. Case No.-68 Year-2022 Thana- MAIN P.S. District- Gaya

PRINCE KUMAR @ BITTU S/O SHASHIKANT SHARMA Resident of
village- Birra, P.S.- Hulasganj, District- Jehanabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-05-2023 Heard Mr. Vikas Kumar, learned counsel for the
petitioner and learned APP for the State.

The petitioner is an accused in connection with Main
(Pai Bigha) P.S. Case No. 68 of 2022 registered for the offences
under sections 147, 148, 149, 341, 323, 307, 379, 448, 504 and
506 of the Indian Penal Code lodged on 03.07.2022 by the
informant, Ram Niwas Sharma.

The prosecution story, in brief, is that on 03.07.2022,
one Ram Vinay Sharma, was carrying sand on his tractor from
his land. Informant put objection on the same on which Ram
Vinay Sharma taking rod in his hand started abusing him and
called other persons. On his call, when informant saw people
approaching him, he ran towards his house.

Thereafter, all entered into his house and started
abusing him. It has been further alleged that the petitioner beat



his wife by rifle consequently, she fell down and Kunal Kumar snatched the golden ring from her. It has been further alleged that Vikash Kumar dragged him outside the house by putting ,Gamchha' on his neck and Manish Kumar @ Chhuhera and Ramesh Kumar both started beating by the 'butt' of rifle which injured the right leg and back. It is further alleged that the petitioner with an intention to kill him made assault by rod on his head. Seeing that blood was oozing from the head of informant, all ran away. Accordingly, the FIR.

It has been submitted by learned counsel for the petitioner that one of the co-accused Ram Vinay Sharma has since been released on bail on 26.04.2023 vide Cr. Misc. No.67978 of 2022.

Taking into account the aforesaid fact as also that he is in custody since 18.08.2022 (as stated in paragraph-14 of the petition), this Court is inclined to extend him to privilege of bail with conditions considering the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Main (Pai



Bigha) P.S. Case No. 68 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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