

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9803 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- PIRBAHOR District- Patna

ISHU @ KANDWA S/o Radha Rajak @ Om Rajak R/o Village- Hasanpur,
Chai Tola, P.S. - Kadamkuan, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
03.03.2022 in connection with S. Tr. No.1069/2022, arising out
of Pirbahore P.S. Case No.92/2022, F.I.R. dated 23.02.2022, for
the offences punishable under Sections 341, 324 and 307 of the
Indian Penal Code.

According to prosecution case, the petitioner is alleged
to have stabbed upon the informant while he was going to shut
down his shop, causing injury on right side of neck and right
hand of the informant and thereafter he fled away from the place
of occurrence.

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



implicated in the present case. He further submits that as per allegation in the F.I.R., the petitioner stabbed injury on right side neck and right hand of the informant, and thereafter, he fled away from the place of occurrence. He further submits that due to dispute with respect to the mobile, the present occurrence has taken place and there was no intention to assault/kill the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 03.03.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and period of custody, 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 the learned Additional Sessions Judge-XI, Patna in connection with S.Tr. No.1069/2022, arising out of Pirbahore P.S. Case No.92/2022, 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 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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