

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10878 of 2023

Arising Out of PS. Case No.-184 Year-2021 Thana- JANDAHA District- Vaishali

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AMAR KUMAR S/O ASHOK PODDAR R/v- Salha, P.S.- Jandaha, District-
Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachin Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Jandaha
P.S. Case No. 184 of 2021 registered for the offence under
Sections 307, 363/34 of the Indian Penal Code.

The petitioner along with the others are alleged to
have assaulted the informant and taken away his grandson.

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. 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 as per allegation, the petitioner along with others have
assaulted the informant by means of lathi causing him head



injury. He further submits that the injury report suggest that the injury received by the informant is simple in nature caused by a hard and blunt substance. He further submits that the motorcycle recovered from the place of occurrence does not belong to the petitioner. 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 21.10.2022.

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 Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 184 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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