

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12266 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- NARALI KALA KHURD District-
Aurangabad

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SANJAY VISHWAKARMA S/O NIRJAL VISHWAKARMA Resident of
Village- Sohada, P.S.- Narari Kala Khurd District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.01.2023 in connection with Narari Kala Khurd P.S. Case No.
153 of 2022, F.I.R. dated 24.12.2022 for the offences punishable
under Sections 147, 148, 341, 323, 324, 325, 307, 427, 504,
506, 34 of the Indian Penal Code.

Allegation against the petitioner and other-accused
persons is that they have assaulted the informant by means of
lathi, danda and iron rod and injured him seriously.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that due to



admitted land dispute the present occurrence has taken place and it appears from the F.I.R. that the F.I.R. is in two parts, in first part, there is general and omnibus allegation against all the accused persons including the petitioner and in second part, there is specific allegation against co-accused persons including the petitioner that they have assaulted the informant by means of iron rod and lathi but the injury report of the informant is suggest that the injury is simple in nature caused by hard and blunt substance. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 05.01.2023.

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

Considering the aforesaid facts and circumstances, 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 Judicial Magistrate, 1st Class, Aurangabad in connection with Narari Kala Khurd P.S. Case No. 153 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 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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