

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14255 of 2023

Arising Out of PS. Case No.-264 Year-2021 Thana- CHANDI District- Bhojpur

MADAN SINGH S/o Indradev Singh R/o Village- Jahanpur, P.S.- Chandi,
Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Chandi P.S. Case No. 264 of 2022 dated 20.12.2021
registered for the offence under Sections 341, 323, 307, 504,
506 and 34 of the Indian Penal Code.

The petitioner and others are alleged to have
inflicted iron rod blow upon the head of the son of the
informant causing deadly injury due to which he became
unconscious and fell down. Further when the family
members of the informant went to rescue victim, the
accused persons also assaulted them badly.

Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case due to admitted land dispute between the parties. He further submits that the allegation, as alleged in the F.I.R, is general and omnibus in nature and no specific allegation of assault or any overt act is attributed to him. He further submits that the petitioner has also lodged a complaint bearing Complain Case No. 26(C) of 2022 against the informant and others for the same set of facts. 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 13.05.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

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 A.C.J.M.-V, Bhojpur at Ara in connection with Chandi P.S. Case No. 264 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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