

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17598 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- BIBHUTIPUR District- Samastipur

SUBODH RAM S/o Late Rameshwar Ram R/o Village- Mahammadpur
Shakra, P.S.- Bibhutipur, Distt- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
04.06.2022, in connection with Bibhutipur P.S. Case No. 223 of
2022, F.I.R. dated 03.06.2022 registered for the offences
punishable under Sections 341, 323, 324, 504, 506 and 307 of
the Indian Penal Code.

Allegation against the petitioner is that he came to the
door of informant and started assaulting with fist and slap and
when the informant protested then the accused petitioner took
out blade from his pocket and hit him with intention to kill and
the informant sustained injury on his neck, back, waist and belly
etc.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that as per allegation in the F.I.R. that the petitioner assaulted with blade to the informant and it was not mentioned in the F.I.R. that what was the reason to assault. He further submits that the petitioner was unsound mind person and due to some provocation the petitioner has assaulted the informant. He further submits that in fact altogether seven injuries were found on the body of the informant but the opinion of the doctor that all the injuries are simple in nature and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.06.2022.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 223 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 witness, 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 antecedents, 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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