

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15745 of 2023

Arising Out of PS. Case No.-539 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

RAMESHWAR SINGH S/o Late Jagarnath Singh Resident of Village-
Chakhasana, P.S.-Kuchaikote, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Nurul Huda, Advocate Mr. Satish Chandra Mishra, Advocate
For the Informant	:	Mr. Avinash Chandra, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 21.12.2022 in connection with Kuchaikote P.S. Case No. 539 of 2022, F.I.R. dated 19.12.2022 for the offences punishable under Sections 341, 323, 324, 307, 448, 504, 506 & 34 of the Indian Penal Code.

According to prosecution case, as per written report of the informant Satendra Pratap Singh who is elder brother of the informant alleging therein that petitioner Rameshwar Singh has sold his share of land. When informant inquired about same, accused Rameshwar Singh and co-accused entered inside his house and co-accused Sonu Singh twice assaulted brother of the



informant namely Kameshwar Singh with knife. He got injured and fell down. Accused/petitioner assaulted injured Abhiranjan Singh and when Abhiranjan Singh tried to escape accused petitioner again attacked him with knife. After raising alarm villagers gathered, then accused persons ran away.

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 the informant is the brother of the petitioner and there is admitted land dispute between the parties and there is case and counter case and the allegation against the petitioner in the F.I.R. is that he assaulted with knife on the Abhiranjan Singh who is nephew of the informant but the injury report of the Abhiranjan Singh suggest that all the injuries are simple in nature caused by sharp cutting substance. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 21.12.2022.

The learned counsel for the informant and learned Additional Public Prosecutor for the State have 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 A.C.J.M.- I, Gopalganj in connection with Kuchaikote P.S. Case No. 539 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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