

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16208 of 2023

Arising Out of PS. Case No.-593 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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MANI RAM @ MANISH KUMAR SINGH Son of Kedar Ram @ Kedar
Singh R/o Mirjanhat, Kalabganj, P.S- Babarganj, Mojahidpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madan Mohan, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
05.12.2022 in connection with Kotwali (Jogsar) P.S. Case No.
593 of 2022, F.I.R. dated 16.07.2022 registered for the offence
punishable under Sections 341,323,504,506,307,385,34 of IPC.

The prosecution case, in short, is that on 11.07.2022
petitioner and accused Rupesh Kumar having armed with iron
rod came at the flower shop of informant. Accused persons
including the petitioner told that why are you not giving
Rs.50,000/-. Then, petitioner and accused Rupesh Kumar struck
on the head of the informant with intent to kill. The accused
persons including the petitioner assaulted the informant by iron



rod. Due to which informant sustained injury on his head and nose.

Learned counsel appearing for the petitioner submits that the police, after investigation, submitted chargesheet under Sections 341,323,504,506,307 and 34 of IPC. Further submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from bare perusal of the FIR it appears that the petitioner and other co-accused persons have assaulted the informant and the injury report of the informant suggests that out of four injuries, three injuries are simple in nature and one injury is grievous in nature which was found on the Cheek of the informant and the police, after investigation, has submitted the chargesheet against the petitioner and the petitioner is in custody since 05.12.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned C.J.M., Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 593 of 2022,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 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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