

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16457 of 2023

Arising Out of PS. Case No.-370 Year-2022 Thana- BARACHATTI District- Gaya

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Jitendra Kumar @ Chunchun Kumar @ Jitendra Yadav @ Chunchun Yadav
Son Of Ram Kishun Yadav R/O Village- Gajragarh, P.S.- Barachatti And
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
19.12.2022 in connection with Barachatti P.S. Case No. 370
of 2022, F.I.R. dated 04.05.2022 registered for the offence
punishable under Sections 323,341,342,307,504,506 and 34
of IPC.

As per FIR, allegation against the petitioner is that
he alongwith other co-accused armed with lathi, danda, khanti
and iron rod assaulted to the informant and when some
persons came to rescue him they were also assaulted by them.
It has been further alleged that during course of mar-pit,
Rs.10,000/- was taken out from his pocket.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case due to petty dispute. Further submits that there is case and counter case between the parties and the allegation against the petitioner is that he assaulted to the informant with iron rod but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.12.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

Considering the aforesaid fact, 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 Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Barachatti P.S. Case No. 370 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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