

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16278 of 2023

Arising Out of PS. Case No.-73 Year-2021 Thana- AUANGARI District- Nalanda

Ranjit Kumar Son Of Rajendra Prasad Resident Of Village- Mundipur, Police
Station- Aungari, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

Petitioner seeks bail, who is in custody since
13.12.2022, in connection with Aungari P.S. Case No. 73 of
2021, F.I.R. dated 10.08.2021 registered for the offences
punishable under Sections 341, 323, 307, 504 and 506/34 of the
Indian Penal Code.

Allegation against the petitioner is that he assaulted
on the head of the wife of the informant by means of iron rod.

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 due to
petty dispute the present occurrence had taken place and both
the parties are *Gotiyas*. He further submits that it appears from



the F.I.R. that the alleged date of occurrence is on 09.08.2021 but the present F.I.R. was instituted on 10.08.2021 after one day delay without giving any explanation of delay. He further submits that the allegation against the petitioner is that he assaulted with iron rod to the wife of the informant but there is no allegation of repetition blow and the injury report suggests that one of the injury is grievous in nature. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.12.2022.

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 Judicial Magistrate 1st Class, Hilsa, Nalanda in connection with Aungari P.S. Case No. 73 of 2021, 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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