

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16813 of 2023

Arising Out of PS. Case No.-348 Year-2022 Thana- PIPRA District- East Champaran

=====

TRILOKI PRASAD S/o Late Jaggu Bhagat Resident of village-Bishunpura,
P.S.-Pipra, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
14.12.2022, in connection with Pipra P.S. Case No. 348 of 2022,
F.I.R. dated 02.12.2022 registered for the offences punishable
under Section 341, 323, 324, 325, 307, 354, 379, 34 of the Indian
Penal Code.

Allegation against the petitioner is that he assaulted
the informant and her family members with *farsa*.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that as per F.I.R. the allegation
as alleged in the F.I.R. that the petitioner has assaulted Pandav
Kumar and Lavkush Kumar by means of *farsa* and also assaulted



Ramjanam Bhagat by means of farsa but the injury report of the Ramjanam Bhagat is not available on record and the injury report of Pandav Kumar suggests that the injury of Pandav Kumar is grievous in nature and the injury report of Lavkush Kumar is stitch wound over right side of forehead. He further submits that both the parties are agnates and due to admitted partition suit the present occurrence has taken place and after the present occurrence both the parties have filed a compromise petition before the learned Court below on 19.01.2023. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 14.12.2022.

The learned Additional Public Prosecutor for the State has vehemently 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 on the basis of paragraph-3 of the petition that the petitioner is on bail in both the cases.

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 Sub-Divisional Judicial Magistrate, Sadar, Motihari, East Champaran in connection with Pipra P.S. Case No. 348 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)

Ibrar//-

U		T	
---	--	---	--

