

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16749 of 2023

Arising Out of PS. Case No.-41 Year-2021 Thana- CHIRAIYA District- East Champaran

Raushan Singh @ Raushan Kumar Son of Raghav Singh Village- Gangapipar
Ps- Chiraiya Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Karandeep Kumar, Advocate
For the Informant	:	Mr. Prateek Tandon, Advocate
For the Opposite Party/s	:	Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
20.12.2022 in connection with Chiraiya P.S. Case No. 41 of
2021, F.I.R. dated 25.02.2021 for the offences punishable under
Sections 341, 323, 307, 379, 324, 354/34 of the Indian Penal
Code.

3. According to prosecution case, it is a case of assault
upon the husband of the informant who sustained injuries on the
vital part of the body.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that petitioner's side has filed
two F.I.R. and one complaint against the family member of the



informant and there is a case and counter case between the parties. He further submits that the allegation as alleged in the F.I.R. is that the petitioner has assaulted the husband of the informant by means of Tenguli blow and the injury report of the informant suggest that he has found four injuries and all injuries was found grievous in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 20.12.2022.

5. The learned counsel for the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and they further submits that petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances and period of custody, 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 Sub-Divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 41 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 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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