

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21623 of 2023**

Arising Out of PS. Case No.-276 Year-2022 Thana- KHARHAGPUR District- Munger

Sunil Yadav @ Sunil Kumar Vidyarthi Son of Late Singheshwar Yadav,
Resident of Village - Pashchim Ajimganj, P.S. - Kharagpur, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Suman Kumar Mishra, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 05-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with S.
Tr. No. 362 of 2022 arising out of Kharagpur P.S. Case No. 276
of 2022, dated 09.06.2022, lodged under Sections 341, 323, 307,
504, 337/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that vide
order dated 08.12.2022 passed in Cr. Misc. No. 51706 of 2022
this Court had rejected the bail application of petitioner merely
on technical ground that suppression has been made in
disclosing about pendency of the criminal case.

Learned counsel for the petitioner submits that due to
misinformation, wrong averments have been mentioned in
paragraph no.3 of the earlier bail application. He further submits



that as per prosecution case, the allegation of attack on the informant is there in the F.I.R. on pity issues when he was returning after taking medicine for his mother and allegation of assault by three persons including the petitioner are there. It is alleged that they are trying to cut in the different part of the victim by virtue of blade, due to which bleeding started.

Learned counsel submits that from the injury report, it transpires that the injury was made from hard and blunt substances. He further submits that petitioner is in custody since 26.06.2022 having 3 criminal cases pending against him, in which, he is on bail. He also submits that charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-III, Munger in connection with S.Tr. No. 362 of 2022 arising out of Kharagpur P.S. Case No. 276 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with



other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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