

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21435 of 2023**

Arising Out of PS. Case No.-593 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

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Akash Singh Son Of Ashok Singh @ Ashok Kumar Singh Resident Of
Village - Kolakhurd, P.S. - Jagdishpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-07-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
27.01.2023 in connection with Jagdishpur P.S.Case No.593
of 2022, F.I.R. dated 02.12.2022 registered for the offence
punishable under Sections 147,148,149,323,307,504 of IPC
and subsequently Section 302 of IPC has been added.

3. The allegation against the petitioner is that he
alongwith co-accused persons assaulted the informant's son
Ripu Kumar with fists, slaps, lathi, danda, bricks and stones,
with in intention to kill him. The reason for the occurrence is
said to be teasing by the informant's son who was assaulted.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 27.01.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 Chief Judicial Magistrate, Bhagalpur/Successor Court, Bhagarpur in connection with Jagdishpur P.S.Case No.593 of 2022,with the following conditions:-

(I) 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.

(II) 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.

(III) 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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