

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21080 of 2023

Arising Out of PS. Case No.-932 Year-2022 Thana- MADHEPURA District- Madhepura

MD. NOOR ALAM SON OF KAILU MIYA @ MD. KAILU MIYAN R/O
VILLAGE- GADHIYA, WARD NO.3, P.S.- MADHEPURA, DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 932 of 2022 dated 29.09.2022
registered for the offence under Sections 341, 323, 324, 326,
307, 379, 504, 506/34 of the Indian Penal Code.

The petitioner is alleged to have inflicted knife
blow beneath the chest of brother of the informant.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that it appears from the F.I.R. that the
petitioner has inflicted knife blow beneath the chest of



brother of the informant causing him injury. He further submits that there is no repetition of knife blow therefore, no offence under Section 307 of the Indian Penal Code is made out against the petitioner. The injury report of the victim suggest that the victim has sustained only one injury and the doctor has not opined anything about the nature of injury keeping it reserved. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 30.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I -cum- Special judge (SC/ST), Madhepura in connection with Madhepura P.S. Case No. 932 of 2022 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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