

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20350 of 2023

Arising Out of PS. Case No.-46 Year-2021 Thana- BEERPUR District- Begusarai

Subodh Singh Son Of Late Phulena Singh R/O Village- Babhangama, P.S.-
Birpur, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, 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, who is in custody since
09.12.2022 in connection with Birpur P.S.Case No.46 of
2021, F.I.R. dated 30.03.2021 registered for the offence
punishable under Sections 341,323,307,379,504 and 34 of
IPC.

As per the prosecution case, this petitioner is alleged
to have assaulted the son of informant with iron rod on his
head causing multiple injuries.

Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Further submits that the allegation as alleged in



the FIR is false and fabricated and even the informant is not the eye witness of the alleged occurrence and as per FIR allegation against the petitioner is that he assaulted to the son of informant with iron rod. Further submits that the injury report of the son of the informant suggests that he has received five injuries. Out of five injuries, injury No.1 is grievous in nature whereas injury Nos. 2,3,4 and 5 are simple in nature but both the injuries i.e. grievous and simple are caused by hard and blunt substance and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 09.12.2022.

Learned APP for the State, on the other hand, 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 that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

Considering the aforesaid facts, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class,



Begusarai in connection with Birpur P.S.Case No.46 of 2021,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 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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