

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21482 of 2023**

Arising Out of PS. Case No.-136 Year-2022 Thana- KESARIA District- East Champaran

AMAN KUMAR Son of Chandeshwar Chaudhary Resident of village -  
Bijdhari Sundrapur, P.S.- Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      13-07-2023                      1. Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since  
30.11.2022 in connection with Kesariya P.S. Case No.136/2022,  
dated 03.04.2022, for the offences punishable under Sections  
143, 144, 341, 323, 307, 379, 504 and 506 of the IPC.

3. According to prosecution case, the petitioner is  
alleged to have assaulted the informant on his head by means of  
iron rod, due to which, he sustained injury on his head.

4. Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. He  
further submits that from bare perusal of the F.I.R., it appears  
that co-accused, namely, Shashi Bhushan Kumar has also  
assaulted on the head of the informant. The petitioner has also



assaulted on the head of the informant and co-accused, namely, Guddu Kumar has also assaulted the informant but the injury report of the informant suggests that the injury sustained by the informant is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.11.2022.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried three criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, 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 C.J.M., Motihari, East Champaran in connection with Kesariya P.S. Case No.136/2022, 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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