

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21022 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- THAKRAHA District- West Champaran

BIKAU ANSARI Son of Late Alihasan Ansari Resident of village -
Siswaniya, P.S.- Thakraha, District - West Champaran (Bettiah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
28.01.2023 in connection with Thakraha P.S. Case No.09/2023,
F.I.R. dated 28.01.2023, for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 325, 307, 354, 379, 504
and 506 of the IPC.

According to prosecution case, the allegation against
the petitioner is that he assaulted Chandra Mohan Kushwaha
and Vinod Kushwaha by means of Garasa, due to which they
sustained injury.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that due to land dispute the present occurrence has taken place. The allegation against the petitioner is that he assaulted Chandra Mohan Kushwaha and Vinod Kushwaha by means of Garasa. He further submits that there is case and counter case between the parties and both sides sustained injury. He further submits that the injury report of Vinod Kushwaha suggest that the injuries sustained by him are simple in nature and the injury report of Chandra Mohan Kushwaha suggest that he sustained grievous injury. He further submits that there was no intention to kill anybody and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.01.2023.

Learned counsel for the informant and learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R. is supported by the medical evidence.

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 Sri P. Kumar, J.M.1st



Class, Bagaha, West Champaran/Court concerned, in connection with Thakraha P.S. Case No.9/2023, 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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