

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26809 of 2023**

Arising Out of PS. Case No.-127 Year-2022 Thana- GOH District- Aurangabad

BITTU SHARMA @ NARENDRA KUMAR S/O MRITYUNJAY SHARMA
R/O Village- Sagarpur, P.S- Goh, Distt.- Aurangabad, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

3 03-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 17.01.2023 seeks
bail, in connection with Goh P.S. Case No.127/2022, dated
14.05.2022, for the offences punishable under Sections 341,
323, 504, 506, 379, 307/34 of the IPC.

3. According to prosecution case, the petitioner is
alleged to have assaulted the informant on his head by means of
Garasa causing injury to him.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that there is
case and counter case between the parties and due to admitted
land dispute the present occurrence has taken place. He further



submits that as per allegation in the F.I.R., the petitioner has assaulted the informant by means of Garasa due to which the informant sustained injury. He further submits that from bare perusal of the injury report of the informant, it appears that the informant has sustained two injuries and the opinion regarding nature of injury was kept reserved by the doctor and all the injuries were caused by hard substance. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.01.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

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 S.D.J.M., Aurangabad in connection with Goh P.S. Case No.127/2022, 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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