

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27706 of 2023

Arising Out of PS. Case No.-55 Year-2021 Thana- BIKRAMGANJ District- Rohtas

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SURAJ MISHRA S/O BABAN MISHRA @ SATYASINDHU MISHRA R/O
Village- Durgadih, P.S- Bikramganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Adv.

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 22.02.2023 seeks
bail, in connection with Bikramganj P.S. Case No.55/2021,
dated 26.02.2021, for the offences punishable under Sections
341, 323, 307, 34 of the IPC.

3. According to prosecution case, the petitioner along
with other co-accused persons have assaulted the informant with
iron rod on his head with intention to kill him due to which he
became unconscious.

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 as per
allegation in the F.I.R., the petitioner has assaulted with iron rod



to the informant. He further submits that due to admitted land dispute, the present occurrence has taken place. He further submits that there is case and counter case between the parties and Title Suit No.153/2015 and Title Suit No. 191/2018 are pending between the parties. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.02.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has assaulted the informant and the injury report of the informant suggest that the injury is grievous in nature.

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 A.C.J.M.-1st, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 55/2021, 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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