

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29249 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- HIRAMMA P.S. District- Sheohar

DILIP KUMAR Son of Ramsevak Sah Resident of village - Harauta, P.S. -
Hiramma, Distt. - Sheohar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Advocate

For the Opposite Party/s : Mr. Dr. Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
17.03.2023, in connection with Hiramma P.S. Case No. 08 of 2022,
F.I.R. dated 27.01.2022 registered for the offences punishable
under Sections 447, 448, 341, 323, 307, 354(B), 379, 504, 506/34
of the Indian Penal Code.

Allegation against the petitioner is that he assaulted
on the head and wrist of the informant with Khuriya due to which
he sustained injured.

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



between the parties and both the parties are agnates. He further submits that as per allegation in the F.I.R. that the petitioner has assaulted the informant and although three injuries were found on the person of the informant but out of three injuries, two injuries are simple in nature but the another injury is grievous in nature due to fracture in right hand which is not vital part of the body of the informant. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.03.2023.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sheohar in connection with Hiramma P.S. Case No. 08 of 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 witness, 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 antecedents, 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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