

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31200 of 2022

Arising Out of PS. Case No.-791 Year-2021 Thana- DANAPUR District- Patna

Sunil Kumar S/o Bhangu Prasad Resident of Mohalla- New Colony,
Panchuchak, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mukeshwar Dayal, Advocate
	Mr. Amitabh Rituraj, Advocate
	Mr. Uday Kumar, Advocate
	Mr. Chandra Bhushan Upadhyay, Advocate
For the Opposite Party/s :	Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in the virtual court
proceeding.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 354, 324, 307,
379, 504, 506 and 34 of the Indian Penal Code.

According to prosecution case, the informant alleged
that his daughter-in-law, namely, Sita Devi demanded Rs.
2,00,000/- from him. On denial to pay the aforesaid amount, she



called her brothers who abused and assaulted the informant and her daughter which caused severe injury on the head of the informant.

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 in fact, the petitioner is son of the informant and he is suffering from “Schizophrenia” since 2009 and due to mental condition of the petitioner, the present occurrence took place and it was not intentional. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.04.2022.

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

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 Court below where the case is pending in connection with Danapur P.S. Case No. 791 of 2021, subject to the following conditions:-

1. One of the bailor should be the father/informant of the petitioner.



2. 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.

3. 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.

4. 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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