

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33103 of 2022**

Arising Out of PS. Case No.-616 Year-2021 Thana- GARKHA District- Saran

AKHILESWAR SINGH @ AKHILESH SINGH Son of Chandrasekhar Singh
Resident of Village - Satha, P.O.- Kudarbadha, P.s.- Garkha, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

5 06-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 16.03.2022, in connection with Garkha P.S. Case No. 616/2021, F.I.R. dated 05.09.2021, for the offences punishable under Sections 341, 323, 324, 307, 384, 379, 504, 506 and 34 of the Indian Penal Code.

According to prosecution case, there is allegation against the petitioner of assaulting the son of the informant by means of knife causing injury on his left shoulder.

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 the allegation as alleged in the F.I.R. that the petitioner assaulted the



son of the informant. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and no such occurrence has ever taken place. He further submits that the injury report of the son of the informant suggests that the injury is simple in nature caused by sharp cutting weapon. He further submits that there was no intention to kill the son of the informant and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.03.2022.

The learned Additional Public Prosecutor for the State 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, after framing of charge, if not framed, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Saran, in connection with Garkha P.S. Case No. 616/2021, 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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