

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34490 of 2023

Arising Out of PS. Case No.-521 Year-2022 Thana- PHULWARIYA District- Gopalganj

Arjun Singh S/O Late Ramadhar Singh R/O Village- Majirva Kala, P.S-
Fulwariya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. 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.

3. Petitioner seeks bail who is in custody since
17.01.2023 in connection with Phulwariya P.S. Case No. 521 of
2022, F.I.R. dated 18.12.2022 for the offences punishable under
Sections 341, 323, 324, 325, 307, 504/34 of the Indian Penal
Code.

4. According to prosecution case, all the accused
persons including the petitioner have assaulted the informant
and his wife by means of *farsa* due to which the informant
sustained 3 cuts on his head and his finger got fractured.



5. 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 as per the allegation, the petitioner has assaulted on the head of the informant by means of *farsa* due to which the informant's head got 3 cuts and his finger got fractured. He further submits that although all the injuries are found to be simple in nature except the fractured finger of the informant due to which the Dr. had found that the injuries are grievous in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 17.01.2023.

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

7. 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 Additional Chief Judicial Magistrate 16th, Gopalganj in connection with Phulwariya P.S. Case No. 521 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 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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