

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39121 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- DAUDPUR District- Saran

Sanjan Kushwaha Son of Late Ramjanam Prasad @ Ramjanam Paswan
Resident of Village - Kohra, P.S. - Daudpur, District - Saran at Chapra
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, in brief, is that on 11.04.2022
at about 08:45 A.M. neighbour of the informant blocked the
road by dropping sand upon which the informant protested then
the accused petitioner along with Urmila Devi, Nishu Kumari
started abusing and the accused petitioner assaulted the
informant with sword on his head due to which the blood started
oozing out. On hulla, informant's wife Sumitra Devi and her
daughter came to rescue then the accused petitioner broke the



teeth of informant's wife and caught her hair and he also assaulted the daughter on her head due to which she became unconscious.

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 there is admitted land dispute between the parties and there is case and counter case. He further submits that as per F.I.R. the allegation against the petitioner is that he has assaulted the informant with sharp edged sword on the head of the informant but the injury report does not support the allegation as alleged in the F.I.R. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.05.2022.

Learned APP for the State has 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 Court below where the case is pending in connection with Daudpur P.S. Case No. 113 of 2022, with 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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