

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38661 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- WAJIRGANJ District- Gaya

Monu Kumar S/O Brajesh Singh Resident of Village- Jamuyama, P.S.-
Wazirganj , District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Upendra Kumar APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 02-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Wazirganj P.S. Case No. 233 of 2021, registered for the

offences punishable under Sections 341, 323, 308, 504 and

506 of the Indian Penal Code

The prosecution case as emerges from the FIR is

that petitioner was assaulted the victim by *Pasuli* on his nose

due to which he fell down in unconscious position. Allegation

of assault on his head is also there, which is against Sonu

Kumar.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that young man of 19 years and he is a student of college. He also submits that petitioner has been implicated by the informant on account of inimical terms and with intent to spoil his career. He also submits that investigation in this case is complete and charge-sheet has already been submitted. He further submits that this case is counter blast of Wazirganj P.S. Case No. 234 of 2021.

He further submits that the petitioner has been languishing in jail since 17.02.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-



named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M-1, Gaya in connection with Wazirganj P.S. Case No. 233 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has



concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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