

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39936 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- SIRDALA District- Nawada

Shubham Kumar Son of Bipin Prasad, Resident of village - Laund, P.S.-
Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Sirdala
P.S. Case No. 117 of 2023 dated 17.03.2023 registered for the
offences punishable under Sections 323, 324, 325, 341, 307,
354, 379, 425, 504, 506/34 of Indian Penal Code.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is a young person having fair
and clean antecedent and allegation of assault and misbehaving
with the informant's sister is general and omnibus against this
petitioner and the informant is said to have sustained injury but
the allegation of assault is not specific against this petitioner and
moreover, the informant sustained simple injury.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner's young age and his fair and clean antecedent and also the fact that the allegation of misbehaving with informant's sister and assault to the informant and his cousin brothers is not specific against this petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with **Sirdala P.S. Case No. 117 of 2023, on the following conditions that:**

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(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 his bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the trial Court will take serious action against him by cancelling his bail bond.

(Shailendra Singh, J)

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