

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39504 of 2023

Arising Out of PS. Case No.-700 Year-2022 Thana- RAJIVNAGAR District- Patna

ADITYA RAJ Son of Deepak Kumar Resident of - Rekha Chandralaya, Urja
Gram, Ambedkar Path, Khajpura, P.S.- Rajiv Nagar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-09-2023 Heard Mr. Anshul, learned counsel for the petitioner
and learned APP for the State.

2. Petitioner seeks bail, who is in custody since
02.04.2023, in connection with Rajiv Nagar P.S. Case No. 700
of 2022, F.I.R. dated 25.12.2022 registered for the offences
punishable under Sections 307, 323, 341, 342, 504, 506 and 34
of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with other co-accused persons had assaulted the injured Rohit
Kumar by knife on his chest, abdomen and head due to dispute
of parking of motorcycle near St. Mary School and he fell
down.

4. 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 from



perusal of the F.I.R. it appears that the name of the petitioner has been transpired on the basis of the information furnished by the another person but he has not disclosed the name of the person who disclosed the name of the petitioner and in fact the petitioner was not present at the place of occurrence. He further submits that the son of the informant, who was injured in the present occurrence, has filed a petition before the learned Court below that he has not recognized the petitioner and one person who informed the name of the petitioner on the basis of the information and then had inserted the name of the petitioner in the present F.I.R. He further submits that although the son of the informant received three injuries and out of three injuries, two injuries are grievous in nature and one injury is simple in nature. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.04.2023.

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

6. 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 Chief Judicial Magistrate, Patna in connection with Rajiv Nagar P.S. Case No. 700 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 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.

Ibrar//-

U		T	
---	--	---	--

(Rajesh Kumar Verma, J)

