

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45268 of 2023

Arising Out of PS. Case No.-547 Year-2022 Thana- MADANPUR District- Aurangabad

SURENDRA SINGH S/O LATE BIRJA SINGH R/O Village- Basatpur, P.S-
Madanpur, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Adv.

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
19.06.2023 in connection with Madanpur P.S. Case
No.547/2022, G.R. No.2580/2022, dated 01.11.2022, for the
offences punishable under Sections 147, 148, 149, 447, 323,
325, 307, 448, 379, 504, 506 of the IPC.

3. According to prosecution case, the petitioner along
with other co-accused persons have assaulted the informant and
when the family members of the informant came to save the
informant, they also assaulted upon them due to which they
sustained injury. It is also alleged that co-accused namely Dilip
Kumar Singh assaulted the informant by means of rod. The
accused persons also looted the cash and ornaments of the



informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case due to previous dispute. He further submits that from bare perusal of the F.I.R. it appears that there is general and omnibus allegation against all the accused persons including the petitioner and there is no specific allegation of any assault or overt act attributed against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 19.06.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. 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 C.J.M., Aurangabad in connection with Madanpur P.S. Case No.547/2022, G.R. No.2580/2022, 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)

amit/-

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

