

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44990 of 2023

Arising Out of PS. Case No.-233 Year-2023 Thana- RAXAUL District- East Champaran

GANPAT PASWAN S/O SURESH PASWAN R/O VILLAGE- AHIRWA
TOLA, WARD NO. 2, PS. RAXAUL, DIST. EAST CHAMPARAN,
MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 27-07-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. Petitioner seeks bail, who is in custody since 14.05.2023 in connection with Raxaul P.S. Case No.233/2023, dated 13.05.2023, for the offences punishable under Sections 342, 323, 324, 307, 379, 354(B) and 506 of the IPC.
3. According to prosecution case, the petitioner is alleged to have assaulted the grand son of the informant namely Biru Kumar, due to which he sustained injuries.
4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence. He further submits that as per allegation in the F.I.R., the petitioner has assaulted the grand son of the informant. He further submits that although the grand son of the informant received seven injuries but all the injuries are simple in nature and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 14.05.2023.

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., East Champaran at Motihari in connection with Raxaul P.S. Case No.233/2023, 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)

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