

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49316 of 2023

Arising Out of PS. Case No.-415 Year-2022 Thana- TRIVENIGANJ District- Supaul

Sakaldev Mandal Son Of Kapildev Mandal Village Bhairpatti Ward No 13
Police Station Triveniganj Dist Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

3. Petitioner seeks bail who is in custody since 04.09.2022 in connection with Sessions Trial No. 525 of 2022 arising out of Triveniganj P.S. Case No. 415 of 2022, F.I.R. dated 04.09.2022 for the offences punishable under Sections 148, 149, 341, 323, 307, 379 and 109 of the Indian Penal Code.

4. According to prosecution case, the F.I.R named accused persons have intercepted the son of the informant while he was returning to his home and brutally assaulted him and also snatched key of the motorcycle, mobile phone and Rs.



10,000/- from his pocket.

5. Learned counsel for the petitioner submits that 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 that the petitioner has assaulted the son of the informant by means of iron rod but the injury report of the son of the informant does not supports the allegation as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 04.09.2022.

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

7. 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 Additional Sessions Judge 1st, Supaul in connection with Sessions Trial No. 525 of 2022 arising out of Triveniganj P.S. Case No. 415 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 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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