

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49447 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- PIPRA District- East Champaran

Mankeshwar Singh Son Of Late Ramanup Singh Resident Of Village-
Lokaibelwa, P.S- Pipra, Dist- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 21.05.2023 in connection with Pipra P.S. Case No. 08 of 2023, F.I.R. dated 03.01.2023 registered for the offence punishable under Sections 341,323,324,325,354(B),504,506,509/34 of IPC but the police, after investigation, submitted chargesheet under Sections 341,323,504,506,34 of IPC.

3. Allegation against the petitioner is that he gave knife blow on the head of informant causing cut and bleeding injury.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the



present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that as per allegation in the FIR the petitioner has given the knife blow on the head of the informant but the injury report of the informant suggests that although he has received injury but the nature of injury is simple in nature caused by hard and blunt substance and there was no intention to kill the informant and there is no repetition of blow and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.05.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that he assaulted to the informant and apart from the aforesaid the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pipra P.S. Case



No. 08 of 2023,with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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