

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52008 of 2023

Arising Out of PS. Case No.-262 Year-2021 Thana- SIWAN CITY District- Siwan

Kuldeep Kumar Soni S/O Late Mohan Soni @ Mohan Lal Soni R/O Village-
Sabzi Mandi, Near Ibrahim Tailors, Ps. Siwan Town, Dist. Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
10.05.2023 in connection with Siwan Town P.S. Case No. 262
of 2021, F.I.R. dated 19.05.2021 for the offences punishable
under Sections 307, 323, 324, 341, 504, 34 of the Indian Penal
Code.

3. According to prosecution case, petitioner assaulted
the informant with knife as a result of which he sustained
grievous injury. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and informant is own brother of
the petitioner and due to land dispute, the petitioner has been
falsely implicated in the present case. He further submits that
the date of occurrence as alleged in the FIR is 06.05.2021, but



the present FIR is instituted on 19.05.2021. Further submits that all the injury report of the informant suggests that injuries are grievous in nature caused by the sharp cutting weapon and further submits that there was no intention to kill the informant.

5. The learned Additional Public Prosecutor 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 Chief Judicial Magistrate, Siwan in connection with Siwan Town P.S. Case No. 262 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

Prakash Narayan

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