

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52876 of 2023**

Arising Out of PS. Case No.-90 Year-2023 Thana- DERNI BAZAR District- Saran

RAUSHAN KUMAR SON OF NAWAL KUMAR SINGH @ NAWAL
KISHORE SHARMA R/O-BISHAMBHARPUR, P.S.-DERANI, DISTT.-
SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023

Heard the parties.

The petitioner is in custody in connection with Derani
P.S. Case No. 90 of 2023 for the offence under sections 341,
323, 324, 379, 307, 504 and 506/34 of the Indian Penal Code
lodged on 29.05.2023 by the informant, Ashok Kumar Singh.

As per the prosecution story, the petitioner's side
assaulted the informant's family and the allegation against this
petitioner is that he gave 'sickle' blow to the informant's wife.
Accordingly, the F.I.R.

Learned counsel for the petitioner submits that though
to make the allegation grave, the word 'sickle' has been used,
the opinion has found reserved inasmuch as the grievous injury
has not been attributed, the main allegation is against his father,
Nawal Kumar Singh and he is in custody since 30.05.2023.

Further, the submission is that without accepting the
allegation and/or the outcome of the present petition in view of



the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP opposes the prayer for bail stating that though he is young, already has criminal antecedent.

Taking into account the submissions put forward by the learned counsel for the petitioner, is in custody since 30.05.2023, F.I.R. lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Saran at Chapra, in connection with Derani P.S. Case No. 90 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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