

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53048 of 2023**

Arising Out of PS. Case No.-91 Year-2023 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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AMAN KUMAR S/O MADAN SAH R/O VILLAGE- MARIPUR
MAISTHAN, PS. KAZIMOHAMMADPUR, DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Sessions Trial No. 506/2023 arising out of Kazi Mohammadpur P.S. Case No. 91 of 2023 for the offence punishable under Sections 447, 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code lodged on 27.2.2023 by the informant, Meera Devi.

As per the prosecution story, the allegation is that the informant saw that her husband was being stabbed by the accused persons and she raised alarm, they escaped. The husband was taken to Sadar Hospital, Muzaffarpur for



treatment, followed by the FIR.

Learned counsel for the petitioner submits that as per the injury report (Annexure-2) the same has been found to be simple and lacerated wound have been found by the Doctor.

The further submission is that he has suffered by being in custody since 28.2.2023 (para-10 of the petition). Further, irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 10,000/- to the informant through Demand Draft of local S.B.I. to be submitted before the trial Court.

Learned APP opposes the prayer stating that he has criminal antecedent.

Considering the considering the aforesaid submission put forward by the learned counsel for the petitioner, the period of custody as also that the injury has been found to be simple, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of the concerned Court to be handed over to the informant after checking the credential.



Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-17th, Muzaffarpur, in connection with Kazi Mohammadpur P.S. Case No. 91 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 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 fortnight for next six months 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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