

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57794 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- BHAGWAN BAZAR District- Saran

NIKET SINGH Son of Mithilesh Singh @ Mithlesh Singh Resident of
Village-Katra Newazi Tola, P.S.-Bhagwan Bazar, District-Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No. 244 of 2023 arising out of Bahagwan Bazar P.S. Case No.
510 of 2022 registered for the offence under Sections 341, 323,
324, 307, 379, 504, 506/34 of the Indian Penal Code.

The petitioner is alleged to have inflicted knife blow to
the informant below his chest and other companion of the
petitioner have committed loot in the shop of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that on bare perusal of the F.I.R., it
appears that the petitioner allegedly inflicted knife injury below
the chest of the informant. He further submits that the present



occurrence has taken place in course of fixing the price of household articles causing. There was no intention to kill the informant and the injury report of the informant suggest that the injuries are opined to be simple in nature caused by a sharp object. He further submits that both the parties have compromised their dispute by way of filing the compromise petition before the court below. He further submits that the informant has been examined as P.W.-1 in the trial and he his cross examination clearly stated that he has compromise his case with the petitioner. The petitioner is rotting in judicial custody since 23.11.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has inflicted knife injury to the informant.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Additional District and Sessions Judge-IV, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 510 of 2022/ S.T. No. 244 of 2023 with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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