

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57192 of 2023

Arising Out of PS. Case No.-121 Year-2022 Thana- BIND District- Nalanda

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Guddu Kumar son of Ram Ratan Yadav R/o- Chhatarpur Ps- Binal Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.06.2023 in connection with Bind P.S. Case No. 121 of 2022,
F.I.R. dated 03.08.2022 for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 324 and 504 of the
Indian Penal Code.

3. According to prosecution case, the petitioner is
said to have assaulted the informant by means to lathi danda
causing him injury.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that from the
bare perusal of the F.I.R., it appears that the allegation as alleged



against the petitioner and other co-accused persons that they have assaulted the informant and other persons. He further submits that according to the F.I.R., the petitioner has assaulted Dr. Abhishek Sahi by an iron rod but the injury report of Abhishek Sahi suggest that the injuries caused to the victim are opined to be simple in nature caused by a hard and blunt object. He further submits that the victim has received two injuries, and both the injuries are said to be simple in nature. The petitioner is in custody since 16.06.2023.

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 Judicial Magistrate – IIInd, Nalanda at Biharshrif, in connection with Bind P.S. Case No. 121 of 2022, 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)

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