

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55604 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- CHHAURADANO District- East
Champaran

Pradip Kumar S/O Sonalal Yadav @ Sonalal Prasad Yadav R/O Village-
Katkenwa, P.S- Mahuawa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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
23.05.2023 in connection with Chhauradano (Mahauawa) P.S.
Case No. 147 of 2023, F.I.R. dated 21.05.2023 for the offences
punishable under Sections 147, 148, 149, 341, 342, 323, 324,
307, 448, 379, 354 and 427 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused persons armed with deadly weapon have
assaulted to the son of the informant. It is further alleged that
the petitioner inflicted knife blow on the neck of the son of the
informant which causes injury to him on neck and the accused
persons snatched gold chain and Rs. 10,000/- from his pocket.



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 perusal of the F.I.R it appears that the allegation against the petitioner is that he has assaulted the son of the informant, namely, Ravindra Kumar but the injury report of Ravindra Yadav suggests that the injury is simple in nature. He further submits that there is case and counter case between the parties and both the sides sustained injuries. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 23.05.2023.

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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Chhauradano (Mahauawa) P.S. Case No. 147 of 2023, 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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