

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56768 of 2023

Arising Out of PS. Case No.-655 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Pappu Kumar son of Sri Sahendra Mahto @ Sahindar Mahto Village- Sahadai
Buzurg Ward no-10, Ps- Sahadai Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-08-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
K. Hat (Maranga) P.S. Case No. 655 of 2023 dated 27.05.2023,
lodged under Sections 341, 323, 324, 307 & 34 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against two named accused persons including the
petitioner alleging therein that the accused persons have
demanded motorcycle from the informant's husband. Upon
refusal, hot discussion took place between them and it is due to
this reason on 27.05.2023, the petitioner and other accused
persons have called informant's husband, caught him and

attacked by knife with a view to kill. By the said injury, informant's husband became unconscious. Seeing this, one of the accused persons was apprehended by the people at large but the second accused person fled away.

5. Learned counsel for the petitioner submits that the apprehended accused person is the petitioner. Counsel submits that from the contents of the F.I.R., it is clear that both informant and petitioner are well known to each other. There is an allegation of assault made by the petitioner to the husband of the informant. Counsel further submits that the antecedent of the petitioner is clean and he is in custody since 28.05.2023. Counsel submits that the petitioner is a law abiding person and ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat (Maranga) P.S. Case No. 655 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 bonds by the Trial Court itself;

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

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

(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 the bail bonds.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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