

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57985 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- BHAGWANPUR District- Begusarai

MANISH KUMAR @ MANISH CHAURASIA S/O DEO NARAYAN
CHAURASIA R/O VILLAGE- CHAKDULLAM, WARD NO. 13, PS.
BHAGWANPUR, DIST. BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 30.05.2023 seeks bail, in connection with Bhagwanpur P.S. Case No.89/2023, dated 10.04.2023, for the offences punishable under Sections 341, 342, 323, 307, 504, 506/34 of the IPC.

3. According to prosecution case, the petitioner is alleged to have caught hold the neck of the son of the informant and co-accused namely Sushil Kumar stabbed in the stomach of the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that from perusal of the F.I.R., it appears that



there is specific allegation against co-accused, namely, Sushil Kumar who stabbed the son of the informant and the allegation against the petitioner is that he has caught hold the neck of the son of the informant and due to previous enmity, the present occurrence has taken place. He further submits that the informant is not an eyewitness of the alleged occurrence and police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 30.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner that he has caught hold the neck of the son of the informant and apart from that the petitioner has carried one criminal antecedent other than the present one but fairly submits on the basis of para-3 of the bail petition that the petitioner has been acquitted in the aforesaid case.

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 Shri K.K.Gupta, J.M.1st Class, Begusarai in connection with Bhagwanpur P.S. Case No.89/2023, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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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