

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63279 of 2022

Arising Out of PS. Case No.-168 Year-2021 Thana- NAUTAN District- West Champaran

AMANAT MIYAN S/o- Late Khalil Miyan R/o Village- Khutahi (South),
Telhuya, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 13.07.2022, in connection with Nautan P.S. Case No. 168 of 2021, F.I.R. dated 05.05.2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 304, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted the informant on the right side of chest by means of *barchi* as a result of which he sustained injured.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not



committed any offence as alleged in the F.I.R. He further submits that as per allegation in the F.I.R. the petitioner has assaulted Koran Mian who is informant of the present case on the right side of the chest but the injury report of the Koran Mian (informant) suggests that the injury is simple in nature but might be dangerous to life. He further submits that the present case is counter blast of Nautan P.S. Case No. 157 of 2021 filed by one Saleha Khatoon on behalf of the petitioner against the informant and other family members and both the parties are agnates and there is admitted civil dispute between them. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 13.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one in which he is on bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in



connection with Nautan P.S. Case No. 168 of 2021, 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 witness, 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

