

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64454 of 2023**

Arising Out of PS. Case No.-181 Year-2018 Thana- GOPALGANJ TOWN District-  
Gopalganj

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1. Rahul Singh @ Rahul Kumar Singh S/O Balistar Singh R/O Village- Kakar Kund, Ps. Gopalganj Town, Dist. Gopalganj
  2. Hare Ram Singh S/O Balistar Singh (wrongly Stated As Harendra Singh in The Order Impugned Dated 20.07.2023) R/O Village- Kakar Kund, Ps. Gopalganj Town, Distt. Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Pandey No.5, Advocate  
For the Opposite Party/s : Mr. Upendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      06-12-2023                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with  
Gopalganj Town P.S. Case No. 181 of 2018, lodged on  
19.04.2018, under Sections 341, 323, 324, 307, 504/34 of the  
I.P.C.

3. As per the prosecution, FIR has been lodged against  
four named accused persons including the petitioners. In the  
FIR, it has been alleged that four accused persons have attacked  
by knife on the informant from backside due to which the  
informant sustained injury and he was referred to hospital.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence. He submits that informant and petitioners both are adjacent neighbour and on petty issue the dispute has arisen, which resulted in injury and case has been filed. Counsel submits that the antecedent of the petitioners are not clean. Against petitioner No.1 there was four cases and against petitioner No.2 there was three cases and in all cases both are on bail. Counsel submits that petitioners have surrendered and are in custody since 10.04.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that at the time of granting bail the criminal antecedents may be taken into consideration.

6. Upon the specific query of the Court that whether charge has been framed or not. Counsel submits that as per his knowledge charge sheet has been submitted but charge has not been framed.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection



with Gopalganj Town P.S. Case No.181/2018, subject to the following conditions:

(i) One of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) The petitioners 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 their bail bonds by the Trial Court itself;

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

(iv) The petitioners 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 petitioners 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.

**(Dr. Anshuman, J)**

Mkr./-

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