

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61439 of 2023

Arising Out of PS. Case No.-321 Year-2021 Thana- TEGHRHA District- Begusarai

1. Vijay Kumar @ Vijay Kumar Singh Son Of Late Laxmi Singh Village Barauni 1, Ward No. 9, P.S. Teghra, Dist. Begusarai
2. Alok Raj @ Raja Son Of Vijay Kumar @ Vijay Kumar Singh Village Barauni 1, Ward No. 9, P.S. Teghra, Dist. Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2023 Heard the parties.

2. The petitioners are apprehending arrest in connection with Teghara P.S. Case No. 321 of 2021 instituted under under Sections 341, 323, 308, 504, 506, 379/34 of the Indian Penal Code lodged on 1.11.2021 by the informant, Krishna Mohan Singh.

3. As per the prosecution story, the informant who is an Ex-Army Man alleged that the accused persons came and abused. Upon objection, the allegation is that they assaulted him.

4. It is alleged that the specific allegation is against Mannu Singh of giving fist blow on his face causing bleeding while Alok Raj @ Raja (petitioner no.2) tried to use 'Gamchha' on his throat to smother him. His daughter was also assaulted by the accused persons including the petitioner no.2.



5. Learned APP opposes the prayer.

6. Considering the kind of allegation that has come against the petitioner no.2, Alok Raj @ Raja, this Court does not deem it fit and proper to extend him the privilege of anticipatory bail which is accordingly rejected.

7. So far as the petitioner no.1 Vijay Kumar @ Vijay Kumar Singh is concerned, omnibus allegation of assault is on him, specific allegation is against Mannu Singh of giving fist blow on face (causing bleeding from the nose) and as such, this Court is inclined to extend him relief.

8. Let the petitioner no.1 namely Vijay Kumar @ Vijay Kumar Singh be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Teghara P.S. Case No. 321 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner no.1 who shall provide official document to show his/her bona fide;



(ii) the petitioner no.1 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 bond by the Trial Court itself;

(iii) the petitioner no.1 shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner no.1 shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner no.1 shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner no.1 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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