

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64702 of 2023

Arising Out of PS. Case No.-142 Year-2023 Thana- ATHMALGOLA District- Patna

Nehra Singh @ Nehru Kumar Singh son of Late Kameshwar Singh Village-
Chanda Ps- Athmalgola Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 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
Athmalgola P.S. Case No. 142 of 2023 dated 31.05.2023, lodged
under Sections 341/ 323/ 307/ 379/ 504/ 34 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged against 15 named accused persons including the present
petitioner that they all gathered together and attacked at the
house of informant. The specific allegation is against one Lal
Babu Singh to assault on the head of the informant by iron rod.

5. Learned counsel for the petitioner submits that
there is no specific act or overt act against the petitioner in the

F.I.R. Counsel submits that the petitioner and the informant belongs to the same village and for the same date and place of occurrence, there are two criminal cases lodged. The present case has been lodged by the informant's side bearing Athmalgola P.S. Case No. 142 of 2023, whereas another case has been lodged by the petitioner's side bearing Athmalgola P.S. Case No. 141 of 2023. Counsel further submits that there is one criminal case pending against the petitioner in which he is on bail and he is in custody since 01.07.2023.

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 Sub Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 142 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other 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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