

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64562 of 2023

Arising Out of PS. Case No.-188 Year-2023 Thana- BAKHARI District- Begusarai

Avdesh Kumar @ Mohan @ Abdhesh Kumar Singh S/O Pratap Singh @ Ram
Pratap Singh R/O Village- Shakarpura, P.S. Bakhri, Dist. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the State	:	Mr. Md. Aslam Ansari, Advocate
For the APP	:	Mr. Sanjay Sinha, Advocate
		Mr. Rohitashwa Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bakhri P.S. Case No. 188 of 2023, lodged on 06.07.2023 under
Sections 341, 323, 324, 307, 326 and 120B of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against the informant who alleged to enter in the house
of the informant and brutally assaulted by making attack on him
by knife.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel submits that the defence taken by the petitioner is that



he has apply for mutation on his land before the Circle Officer (informant) but has taken Rs. 50,000/- from him and not ready to return even after his transfer from the said place when the petitioner went to his house requesting him to return his money which he has given to him of his taken of bribery. The informant reached and started assaulting due to which said injury took place.

5. Learned counsel further submits that the antecedent of the petitioner is clean and he is in custody since 14.07.2023.

5. Learned APP for the State and learned counsel for the informant opposes the prayer for bail of the petitioner.

6. 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate in connection with Bakhri P.S. Case No. 188 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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.

(Dr. Anshuman, J.)

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