

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60543 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- SIMRA District- Aurangabad

GUDDU YADAV @ SUJIT KUAMR Son of Prabhu Yadav R/v- Ajaniya Tola
Yadav Bigha, P.S.- Simra, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offence under Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code and the police has submitted charge-sheet under Sections 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The petitioner is said to have assaulted by the informant by knife and brick with intention to kill him.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that according to the F.I.R., the petitioner has assaulted the informant with



knife and brick with intention to kill him. He further submits that the injury report of the informant does not support the allegation as levelled in the F.I.R. and injuries are stated to be simple in nature caused by a hard and blunt substance. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 28.03.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries nine more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 186 of 2022/98 of 2022 arising out of Simra P.S. Case No. 32 of 2021 with 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 antecedent, 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)

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