

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66527 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- BAGENGOLA District- Buxar

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Suraj Kumar S/O Rameshwar Chaudhary Resident Of Village-Baruha, P.S.-
Bagengola, District-Buxar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bagengola P.S. Case No. 68 of 2023 lodged under Sections 147,
148, 149, 341, 323, 325, 324, 307, 379, 354A, 506 of the I.P.C.
read with Section 27 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 7 named accused persons including the
petitioner. The allegation against the petitioner is that he has
assaulted the daughter of the informant and also attacked by butt
of gun due to which she caused head injury.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the informant and petitioner both are agnates and due to
petty land disputes, the said occurrence took place.

5. Counsel further submits that for the same date and place of occurrence, there is case and counter case filed between them due to which he has disclosed in Paragraph-5 of the bail petition, petitioner's side has filed complaint case bearing No. 439 of 2023 against the informant and his family members.

6. Counsel submits that on merit, there is allegation in the F.I.R. that he has attacked by butt of gun on the head of the informant. From the Annexure-2 of the bail petition which is injury report, the cause of dispute has been shown by hard and blunt substances and the injury is simple in nature.

7. Counsel for the petitioner further submits that petitioner is in custody since 01.06.2023, having clean antecedent.

8. Learned counsel for the State opposes the prayer for bail and submits that vide Annexure-2 of the bail petition, it transpires that injury is simple in nature.

9. 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 A.C.J.M., Buxar in connection with Bagengola P.S. Case No. 68 of 2023, subject to the

following 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.

(Dr. Anshuman, J.)

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