

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68166 of 2023

Arising Out of PS. Case No.-380 Year-2023 Thana- CIVIL LINE District- Gaya

Md. Irfan Son of Md. Halim @ Md. Halim Moga @ Halim Mansoori
Resident of Mohalla - Nadraganj, Barki Daha, P.S. - Civil Line, District-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tabish Sharfuddin, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Civil Line P.S. Case No.380/2023, lodged on 06.06.2023 under
Sections 341, 323, 324 and 379 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the present petitioner with an allegation of giving
knife blows on the neck of the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that at the time of the hearing, the bail application of the
petitioner before the learned Sessions Judge, case diary was
called for and it has been acknowledged in the case diary that



the said injury is simple in nature, caused by hard and blunt substance. He further submits that the antecedent of the petitioner is clean and he is in custody since 21.06.2023. The charge sheet has already been submitted.

5. Learned APP for the State 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, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, Gaya, in connection with Civil Line P.S. Case No. 380/2023, 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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