

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67103 of 2022**

Arising Out of PS. Case No.-242 Year-2022 Thana- TRIVENIGANJ District- Supaul

MANGEN CHAUHAN S/O Ram Prit Chauhan R/O Village- Latuana Uttar,
Ward No-03, P.S- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra,Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 21-03-2023 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 148, 149, 447, 342, 341, 323, 308,
354(B), 302, 504, 506 of the Indian Penal Code.

Allegation against co-accused, namely, Sonu
Chauhan, is that he assaulted to the husband of the informant
and allegation against the petitioner is that he assaulted to
Nirmala Devi and Rambha Devi by means of lathi-danda, when
they came to rescue the husband of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case. Further submits that the FIR is in
two parts. In first part, specific allegation against co-accused,



namely, Sonu Chauhan, is that he assaulted to the husband of the informant and in second part, there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt-act against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.08.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, 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 Triveniganj P.S. Case No. 242 of 2022, 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 cancelled 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.

(3) 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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