

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68701 of 2022

Arising Out of PS. Case No.-116 Year-2020 Thana- KALYANPUR District- East Champaran

Biru Singh Son of Chandrashekhar Singh R/o- Math Gowardhan, P.S.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 29.08.2022, in connection with Kalyanpur P.S. Case No. 116 of 2020, F.I.R. dated 28.05.2020 registered for the offences punishable under Sections 341, 323, 324, 307, 354B, 379, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted the informant with sword causing injury on her head and hand.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case and no such occurrence had taken place as alleged in the F.I.R. He further submits that the petitioner is son of the informant and the injury report of the informant suggests that



injury no. 1 and 2 are caused by sharp cutting object and the injury no. 3 is caused by hard blunt substance, which are simple in nature. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.08.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 116 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witness, 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 antecedents, 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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