

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72233 of 2022

Arising Out of PS. Case No.-424 Year-2021 Thana- PAROO District- Muzaffarpur

1. Ram Surat Bhagat S/o Late Kisni Bhagat @ Krishnadev Bhagat R/v- Jalil Nagar, P.S.- Paroo, District- Muzaffarpur
2. Anita Devi W/o Ram Surat Bhagat R/v- Jalil Nagar, P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioners seek bail who are in custody since
13.08.2022 in connection with Paroo P.S. Case No. 424 of 2021,
F.I.R. dated 29.10.2021 for the offences punishable under
Sections 341, 323, 302, 379, 504, 506/34 of the Indian Penal
Code.

According to prosecution case, the petitioners along
with other accused persons brutally assaulted the informant with



kicks and fists due to which she became unconscious. It is further alleged that the petitioner no. 2 namely Anita Devi snatched Mangal Sutra from the wife of the informant and then all accused persons fled away.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated. He further submits that the allegations as alleged in the F.I.R. are also not supported by the medical evidence. He further submits that the police after investigation submitted the charge sheet against the petitioners. The petitioners are in custody since 13.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioners carries 1 criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Paroo P.S. Case No. 424 of 2021, subject to the following conditions:-



1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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