

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73463 of 2022

Arising Out of PS. Case No.-608 Year-2022 Thana- BARHARA District- Bhojpur

Thakur Bin Son Of Luruk Bin @ Surup Bin R/O Village- Khawaspur, P.S.-
Barhara (O.P. Krishnagarh), District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

Petitioner seeks bail who is in custody since
19.08.2022 in connection with Barhara (Krishnagarh) P.S. Case
No. 608 of 2022, F.I.R. dated 16.08.2022 for the offences
punishable under Sections 147, 148, 149, 341, 323, 307, 354(B),
448, 379, 504 and 506 of the Indian Penal Code and Section 27
of the Arms Act.

According to prosecution case, all the 22 accused
person including the petitioner armed with lathi, danda and iron
rod assaulted the informant and his family members. It is further
alleged that the accused persons lashed with arms entered inside



the house of the informant and with an intention to kill the informant one accused assaulted upon the head of the informant by means of iron rod and they also snatched chain from the neck of the daughter of the informant.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and there is specific allegation against the petitioner and due to previous enmity the petitioner and other family members have been falsely been implicated in this case. He further submits that there is case and counter case between the parties. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 19.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barhara



(Krishnagarh) P.S. Case No. 608 of 2022, 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 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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