

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74301 of 2022**

Arising Out of PS. Case No.-165 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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MOHAMMAD JALAL SON OF MOHAMMAD ABBAS R/O VILLAGE-
CHAND MOHAN CHHOTA, P.S.- KUNDWA CHAINPUR, DISTRICT-
EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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

2 13-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Kundwa Chainpur P.S. Case No. 165 of 2022/G.R. Case No.
826 of 2022 registered for the offence under Sections 341,
323, 324 and 307 of the Indian Penal Code.

The petitioner is alleged to have dragged the
informant and assaulted with fist and gave two knife blow in
his stomach as a result of which he sustained injury.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case due to
admitted land dispute. He further submits that the petitioner



and the informant happen to be the agnates. He further submits that according to the F.I.R. the petitioner has assaulted the informant and gave two knife blow in his stomach, however, the injury report suggests that the injuries sustained by the informant are simple in nature caused by a sharp object. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 31.08.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 21st Additional Sessions Judge, East Champaran, Motihari in connection with S.T. No. 1204 of 2022 arising out of Kundwa Chainpur P.S. Case No. 165 of 2022/ G.R. No. 826 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 canceled 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.

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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