

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1663 of 2023

Arising Out of PS. Case No.-151 Year-2022 Thana- PATAHI District- East Champaran

=====

Ravi Kishan @ Dudhnath Kumar Son of Harendra Kumar Resident of village
- Parsauni Kapoor, P.S.- Patahi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Patahi P.S. Case No. 151 of 2022, registered for the offences punishable under Sections 147, 149, 341, 323, 307, 354(B), 379, 504 and 506 of the Indian Penal Code.

The prosecution case is based on the written report of the informant alleging therein that while the informant was sitting at his door, all the accused persons including the petitioner variously armed, barged into his house and assaulted the informant by means of *Lathi*, *Danda* and Iron Rod due to which he fell down. Thereupon, the petitioner assaulted the



informant by means of knife causing injury in his hand and below the eye.

Learned counsel appearing on behalf of the petitioner submits that both the parties are agnates and there is long-standing dispute with regard to the partition. He further submits that so far the injury is concerned, the doctor has found all the injuries of the informant simple in nature, however, considering the fact that the injury below the eye may cause diminishing the eye vision, hence, it has been observed that the same may be dangerous to life. He next submits that besides the present case the petitioner is also made accused in another case, which has been mentioned in paragraph 3 of the bail application, which is also at the instance of the informant and his family. He also submits that now the petitioner is in custody for over a period of six months and the charge-sheet has already been submitted.

On the other hand learned APP for the State vehemently opposes the bail application and submits that repeated knife blow has been caused to the informant resulting into grievous injury.

Regard being had to the submissions made on behalf of the parties and considering the injury report, as also the fact that both the parties are agnates and there is a long-standing



dispute coupled with the fact that the investigation of the crime is already complete and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 151 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail



bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

manoj/-

U		T	
---	--	---	--

