

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1233 of 2023

Arising Out of PS. Case No.-569 Year-2022 Thana- BRAHMPUR District- Buxar

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AJAY THAKUR Son of Bhim Thakur R/o Diya Par Meshwar, P.S.-
Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Brahmpur
P.S. Case No. 569 of 2022 dated 01.08.2022 registered for the
offence under Sections 341, 323,354(B), 307, 506/34 of the
Indian Penal Code.

The petitioner along with others are alleged to have
tried to outrage the modesty of the aunt of the informant and on
the protest being made by the informant and his family members,
they are subjected to assault by hockey stick and butt of katta and
also with the knife causing him 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. He further submits that



the petitioner and the informant happen to be gotiya and due to admitted dispute, present occurrence took place. He further submits that it appears from the F.I.R. that general and omnibus allegation attributed to all the accused persons including the petitioner. He further submits that according to the F.I.R. the petitioner along with other accused persons assaulted the informant with hockey and butt of the katta. He further submits that the injury report of the injured suggest that the injury caused by a hard and blunt substance and the same is simple in nature. 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 26.10.2022.

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 Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No. 569 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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