

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9641 of 2024

Arising Out of PS. Case No.-225 Year-2023 Thana- WARISNAGAR District- Samastipur

1. Lal Pari Devi wife of Ram Balak Sah Village- Gohi Naya Ps- Warisnagar Dist- Samastipur
2. Kun Kun Devi wife of Lal Babu Sah Village- Gohi Naya Ps- Warisnagar Dist- Samastipur
3. Lakshman Sah @ Laxaman Sah son of Ram Balak Sah Village- Gohi Naya Ps- Warisnagar Dist- Samastipur
4. Krishna Kumar @ Krishan Kumar son of Lal Babu Sah Village- Gohi Naya Ps- Warisnagar Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussamuddin Azad, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Md. Hussamuddin Azad, learned counsel
for the petitioners as well as Mr. Bhanu Pratap Singh, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Warisnagar P.S. Case No. 225 of 2023, F.I.R. dated 01.07.2023 for the offences punishable under Sections 341, 323, 307, 354B, 379 and 504 of the Indian Penal Code.

3. According to prosecution case, these petitioners along with other accused persons have assaulted the informant and his wife and also snatched gold chain from the neck of the



informant's wife.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties and the informants are agnates of the petitioners. He further submits that from perusal of the F.I.R/complaint petition it appears that there is specific allegation of assault and overt act attributed against Lakshman Sah and Raushan Kumar who assaulted the informant but the injury report of the informant suggests that the injuries are simple in nature.

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

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 cum Additional Munsif, Samastipur in connection with Warisnagar P.S. Case No. 225 of 2023, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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.

ii. 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.

iii. 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)

Vanisha/-

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

