

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9655 of 2024

Arising Out of PS. Case No.-408 Year-2023 Thana- BHORE District- Gopalganj

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Dilshad Mansuri @ Kalat Mansuri S/O Jalil Mansuri R/O Village- Khorahi,
P.S- Bhore, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Suresh Prasad Bhakta, learned counsel

for the petitioner and Mr. Tarun Prasad Mandal, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kateya P.S. Case No. 408 of 2023, F.I.R. dated 18.08.2023 for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused person have assaulted the informant by means of iron rod on his head due to which the informant sustained head injury.

4. 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 the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and due to admitted land disputes the present occurrence has taken place. He further submits that the allegation against the petitioner is that he has assaulted the informant by means of iron rod on his head but the injury report of the informant suggests that the injury is caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of assault attributed against the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No. 408 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. 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.

ii. 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.

iii. 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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