

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7264 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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1. Vinay Patel @ Vinay Kumar S/O- Late Tulsi Patel R/O- Village- K.R. Mathia, Ward No.- 4, P.S.- Sangrampur, Dist.- East Champaran.
 2. Ram Pravesh Patel S/O- Late Tulsi Patel R/O- Village- K.R. Mathia, Ward No.- 4, P.S.- Sangrampur, Dist.- East Champaran.
 3. Vibha Devi W/O- Manjit Patel R/O- Village- K.R. Mathia, Ward No.- 4, P.S.- Sangrampur, Dist.- East Champaran.
 4. Rinku Devi W/O- Rajkumar Patel R/O- Village- K.R. Mathia, Ward No.- 4, P.S.- Sangrampur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2024 Heard Mr. Abhishek Kumar, learned counsel for

the petitioners as well as Mr. Ram Priya Sharan Singh, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sangrampur P.S. Case No. 279 of 2023, F.I.R. dated 01.08.2023 for the offences punishable under Sections 341, 342, 323, 325, 308, 379, 504/34 of the Indian Penal Code.

3. According to prosecution case, these petitioners have assaulted the informant and her grand daughter due to which they sustained injuries. It is further alleged that they also



assaulted the pregnant daughter-in-law of the informant.

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 as per the allegation in the F.I.R, the petitioner nos. 1 and 2 have assaulted to the informant and her grand daughter. He further submits that there is no injury report of the informant which suggests that the informant has received any injury and the injury report of the grand daughter of the informant, namely, Sonam Kumari suggests that all the injuries are simple in nature caused by hard and blunt substance.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the injuries are simple in nature, 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, Sadar, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 279



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)

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