

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15753 of 2024

Arising Out of PS. Case No.-250 Year-2023 Thana- LAURIA District- West Champaran

Dharmveer Panda son of Late Vyas Panda Village- Pandapatti Ps- Lauriya
Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-03-2024 Heard Mr. Bimlesh Kumar Pandey, learned counsel for
the petitioner and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 12.11.2023, in connection with Lauriya P.S. Case No. 250 of 2023, F.I.R. dated 02.09.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504, 506 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted the informant with farsha due to which her hand was cut at four places and when the informant's daughter namely Pinki came to rescue her mother accused Dharmveer Panda assaulted on her left eye by means of *farsha*.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that from perusal of the F.I.R. it appears that F.I.R. is in two parts, in first part, there is general and omnibus allegation against all the accused persons including the petitioner and in second part, there is allegation against the petitioner and other co-accused person namely Balbir Panda that they have assaulted the informant by means of farsha and thereafter the petitioner has also assaulted the daughter of the informant and although the daughter of the informant has received injury but the injury report of the daughter of the informant suggests that the injury is simple in nature. He further submits that co-accused Balbir Panda against whom the allegation that he along with petitioner assaulted the informant and other co-accused persons have been granted the privilege of anticipatory bail by this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 84398 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.11.2023.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



A.C.J.M. 1st, Bettiah, West Champaran in connection with Lauriya
P.S. Case No. 250 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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