

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18895 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Aditya Kumar Singh @ Aditya Singh @ Golu @ Golu Singh Son of Late
Sanjeet Singh @ Sanjit Singh Resident of Village- Shripur Karaiya, P.S.-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the State : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2024 Heard Mr. Madhurendra Kumar, learned counsel

for the petitioner and Mr. Manoj Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Ghorasahan P.S. Case No. 402 of 2023, F.I.R.
dated 06.07.2023 for the offences punishable under Sections
341, 323, 504, 307, 354(B), 379, 506 and 34 of the Indian Penal
Code.

3. According to prosecution case, petitioner is said to
have assaulted the informant by means of iron rod causing
injury on his head.

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 from a bare perusal of the FIR it appears that due to admitted land dispute the present occurrence has taken place. He further submits that although from a bare perusal of the FIR it appears that the petitioner has assaulted with the iron rod to the informant due to which the informant received injury but the injury report of the informant suggests that the injury found upon him is simple in nature caused by hard and blunt substance.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner having clean antecedent and injury found upon the informant is simple in nature, 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 Additional Chief Judicial Magistrate 3rd Sikrahana at Dhaka, East Champaran at Motihari in connection with Ghorasahan P.S. Case No. 402 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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