

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18491 of 2024

Arising Out of PS. Case No.-233 Year-2023 Thana- SHEOHAR District- Sheohar

1. Halim Sah Son of Sarif Sah Resident of vill.-Sugiya katsari, P.S.-Sheohar, Distt.-Sheohar
2. Yusuf Sah Son of Halim Sah Resident of vill.-Sugiya katsari, P.S.-Sheohar, Distt.-Sheohar
3. Kammu Sah Son of Sarif Sah Resident of vill.-Sugiya katsari, P.S.-Sheohar, Distt.-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Uday Kumar, learned counsel for the

petitioners as well as Mr. Aditya Narayan Singh 1, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sheohar P.S. Case No. 233 of 2023, F.I.R. dated 07.09.2023 for the offences punishable under Sections 341, 323, 307, 379, 354, 504/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners have assaulted the informant and his wife by means of rod, lathi, danda etc. It is further stated that they have also snatched gold locket 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 the petitioner no. 1 has caught hold the informant and petitioner no. 2 has assaulted the wife of the informant and petitioner no. 3 has assaulted the informant. He further submits that although the informant has received injuries but the injury report suggests that the injuries are simple in nature caused by hard and blunt substance and no injury report of the wife of the informant is available on record.

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 of the informant 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 Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 233 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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