

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18203 of 2024

Arising Out of PS. Case No.-461 Year-2023 Thana- MUFFASIL District- Aurangabad

Jatah Paswan S/O Late Ramchndr Paswan @ Ramchadra Paswan R/O
Village- Khakhara Tola Teliya, Dih, Khakhra, P.S- Aurangabad (MUFFASIL),
Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Singh, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr. Ashok Singh, learned counsel for the
petitioner and Mr. Rajendra Nath Jha, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Aurangabad (Muffasil) P.S. Case No. 461 of 2023, F.I.R. dated 05.11.2023 for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 354 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioner is said to have dragged the mother of the informant towards paddy field and assaulted her.

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 the allegation against the petitioner that he had dragged the mother of the informant towards paddy field and also assaulted her. He further submits that although the mother of the informant had received injury but the injury report of the mother of the informant suggests that all the injuries are simple in nature.

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

6. Considering the aforesaid facts, the petitioner has clean antecedent and injuries inflicted upon the mother of the informant are 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 Chief Judicial Magistrate in connection with Aurangabad (Muffasil) P.S. Case No. 461 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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