

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18003 of 2024

Arising Out of PS. Case No.-165 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Sohit Swaraj @ Sohit Swaraj Verma @ Sohil Swaraj Varma Son Of Lalan
Verma @ Sachin Dev Verma Resident Of Village - Samraon, P.S. -
Charpokhari, District - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shubhangi Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Ms. Shubhangi Pandey, learned counsel for
the petitioner and Mr. Mritunjay Kumar Nirala, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Charpokhari P.S. Case No. 165 of 2022, F.I.R. dated 22.08.2022 for the offences punishable under Sections 323, 325, 307, 341, 379, 504, 147, 149/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have brutally assaulted the informant and also snatched his gold chain.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. She further submits that it appears from the F.I.R that there is allegation against the petitioner that he along with two other persons have assaulted the informant. She further submits that there is no specific allegation of assault against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R it appears that there is direct and specific allegation against the petitioner that he along with other accused persons have assaulted the informant due to which the informant received 3 injuries but the injury report suggests that the injuries are simple in nature.

6. Considering the aforesaid facts and circumstances, 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, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 165 of 2022, 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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