

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21512 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- NARALI KALA KHURD District-
Aurangabad

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Bitan Ram S/O- Guddu Ram R/O- Village- Sohda Keshopur, P.S.- Narari Kala
Khurd, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Mukul Kumari, Advocate
For the State	:	Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2024 Heard Ms. Mukul Kumari, learned counsel for the

petitioner and Mr. Upendra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Narari Kala Khurd P.S. Case No. 106 of 2023,
F.I.R. dated 05.11.2023 for the offences punishable under
Sections 147, 341, 323, 324, 308, 504 and 506 of the Indian
Penal Code.

3. According to prosecution case, petitioner along
with other co-accused persons is said to have assaulted the
informant and his family members.

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 the present occurrence has taken place between the parties due to uprooting of the bamboo tree. He further submits that there is case and counter case between the parties. He further submits that from a bare perusal of the FIR it appears that there is specific allegation against the co-accused person, namely, Bittu Ram assaulted to the informant. He further submits that although the informant has received the injury but the injury report of the informant suggest that the injury 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, there is case and counter case between the parties and the injury inflicted 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 Judicial Magistrate 1st Class,



Aurangabad in connection with Narari Kala Khurd P.S. Case No. 106 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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