

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20712 of 2024

Arising Out of PS. Case No.-365 Year-2023 Thana- DAUDPUR District- Saran

Lakhan Kumar Sah S/o Chhotan Sah Resident of Village- Bangra P.S.-
Daudpur Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Vijay Kumar, learned counsel for the
petitioner and Mr. Bhanu Pratap Singh, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Daudpur P.S. Case No. 365 of 2023, F.I.R. dated 01.11.2023 for the offences punishable under Sections 341, 323, 324, 326, 307, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with one co-accused has assaulted the son of the informant due to which his both arms got fractured.

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 the informant is not the eye witness of the alleged occurrence. He further submits that the present occurrence has taken place with



the son of the informant. Although, as per the allegation in the F.I.R, the son of the informant has received injury but the injury report suggests that the injury is simple in nature caused by acidic nature liquid.

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

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 Judicial Magistrate 1st Class, Saran at Chapra in connection with Daudpur P.S. Case No. 365 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)

Vanisha/-

U		T	
---	--	---	--

