

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25411 of 2024

Arising Out of PS. Case No.-847 Year-2023 Thana- BODHGAYA District- Gaya

Vijay Singh @ Vijay Ram S/O Late Barho Singh @ Barho Ram @ Late
Badho Singh R/O Village- Bhawanpur, P.S- Bodhgaya, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2024 Heard Mr. Arvind Kumar Singh, learned counsel
for the petitioner and Ms. Renu Kumari, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bodhgaya P.S. Case No. 847 of 2023, F.I.R. dated 05.11.2023 for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner has assaulted the informant and his son by means of wooden cutter due to which both the persons have sustained injuries.

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 as per the allegation in the F.I.R, the petitioner has assaulted the informant



and his son due to which both have sustained injury. But it appears from injury report of the informant as well as his son that the injuries are simple in nature caused by hard and blunt substance. He further submits that there is case and counter case between the parties and both the sides have sustained injuries.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is case and counter case between the parties and the injuries of the injured persons are found to be 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, Gaya in connection with Bodhgaya P.S. Case No. 847 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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