

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27690 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

1. Anand Singh @ Anand Kumar Singh S/o- Manoj Singh Village- Marichaon Ps- Bhabua Dist- Kaimur at Bhabua
2. Tinku Singh @ Suraj Kumar son of Sanjay Singh Village- Marichaon Ps- Bhabua Dist- Kaimur at Bhabua
3. Ganesh Patel @ Ganesh Kumar son of Late durga Prasad Village- Bare Ps- Bhabua Dist- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2024 Heard Mr. Rajani Kant Pandey, learned counsel for the petitioners and Mr. Surendra Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bhabua P.S. Case No. 618 of 2023, F.I.R. dated 08.07.2023 for the offences punishable under Sections 341, 342, 323, 325, 307, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioners along with other co-accused persons have assaulted to the informant by means of stick and iron rod.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that there is case and counter case with respect to the liquor between the parties and due to which the present occurrence has taken place. He further submits that although the informant's side received the injury but the injury report of the informant's side suggests that all the injuries are found simple in nature.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts that petitioners have clean antecedent, there is case and counter case between the parties and injuries received the informant's side are simple in nature, let the petitioners, above named, in the event of their 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur and Bhabua in



connection with Bhabua P.S. Case No. 618 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. 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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