

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33716 of 2024**

Arising Out of PS. Case No.-1185 Year-2023 Thana- TURKAULIYA District- East  
Champaran

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Sundram Kumar Singh S/O Hridya Kumar Singh, R/O Village- Semra  
Belwatiya, P.S- Turkauliya, Distt.- East Champaran. Present Address- Gali  
No. 4, Near RSM Convent School Main Sagarpur, P.S- Sagarpur, Distt.-  
South West Delhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr. Rahul Singh, Advocate

For the Opposite Party : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      19-07-2024                      Heard Mr. Rahul Singh, the learned counsel for the  
  
petitioner and Mr. Ram Priya Sharan Singh, the learned  
  
Additional Public Prosecutor for the State.

2.                      The petitioner is apprehending his arrest in  
  
connection with Turkauliya PS Case No. 1185 of 2023, FIR  
  
dated 19.11.2023, registered for the offences punishable under  
  
Sections 447, 341, 323, 324, 308, 354, 379, 504, and 506 read  
  
with Section 34 of the Indian Penal Code.

3.                      According to the prosecution case, the co-accused  
  
persons, variously armed, came at the door of the informant and  
  
started abusing him and upon his protest, Sundram Singh  
  
assaulted the informant with *talwar* on his head, Hriday Singh



also gave him *dabiya* blow on his head due to which he started oozing blood. It is further alleged that Nand Kishore Singh snatched gold chain from his neck worth Rs. 40,000/- (Rupees forty thousand).

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and as per allegation in the FIR, petitioner has assaulted on the head of the informant due to which informant sustained head injury. He further submits that there is case and counter case between the parties and although the informant has received injury, but the injury report of the informant suggests that the injury is simple in nature. He lastly submits that the co-accused persons namely, Hridya Singh @ Hridya Kumar Singh, Renu Devi @ Renu Singh have been granted bail by a co-ordinate Bench of this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 10262 of 2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation of assault attributed against the petitioner. Apart from that, the petitioner carries two criminal antecedents other than the present one, but fairly admits on the basis of paragraph no. 3



of the bail petition that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances and mainly the facts that injury inflicted upon the injured person is simple in nature and other similarly situated co-accused persons have been granted bail, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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, Motihari, East Champaran, where the case is pending in connection with **Turkauliya PS Case No. 1185 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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