

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36682 of 2024

Arising Out of PS. Case No.-415 Year-2022 Thana- NARHATT District- Nawada

Ashok Rajbanshi Son of Late Rajo Rajbanshi Resident of Village - Berota,
P.S.- Narhat, District - Nawada, Pin - 805122.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vivek Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking regular bail in connection with Narhat P.S. Case No. 415 of 2022 registered for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code. He is in custody since 29.02.2024. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 08.10.2022 at 10:00 PM Ashok Rajbanshi (this petitioner) and other accused persons armed with *garasa*, *lathi* and brick respectively came and assaulted the informant on his head with *garasa*. It is further alleged that this petitioner threatened the informant of killing him and lodging SC/ST Act against him.

4. Learned counsel for the petitioner submits that with

regard to the alleged occurrence there is a case and counter case between the parties. It is his submission that the occurrence seems to have taken place on account of some dispute over *gully* (passage). It is submitted that the petitioner has remained in custody since 29.02.2024 and Police has already submitted a charge-sheet, therefore, his further continuance in custody is not required.

5. Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the nature of allegations, there being a case and counter case between the parties and that a charge-sheet has already been submitted against the petitioner, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Nawada in connection with Narhat P.S. Case No. 415 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

6. 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 steps 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.

7. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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