

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35841 of 2024

Arising Out of PS. Case No.-654 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Suneel Paswan @ Suneel Kumar Son Of Brhamdev Paswan Resident Of
Village- Chhoti Aghu , Ward No. 10, P.S.- Muffasil, District Begusarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the State : Mr. Arvind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-07-2024 Heard Mr. Santosh Kumar Singh, learned counsel
for the petitioner and Mr. Arvind Kumar Pandey, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Begusarai (Muffasil) P.S. Case No. 654 of
2021, F.I.R. dated 31.12.2021 for the offences punishable under
Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian
Penal Code.

3. According to prosecution case, petitioner is said to
have assaulted on the head of the informant by means of iron
rod.

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 due to



some petty dispute the present occurrence has taken place. He further submits that from a bare perusal of the FIR it appears that there is allegation against the petitioner that he has assaulted on the head of the informant by means of iron rod. He further submits that although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature.

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

6. Considering the aforesaid facts and circumstances and the fact that petitioner having clean antecedent and injury report of the informant suggests that the injury is 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, Begusarai in connection with Begusarai (Muffasil) P.S. Case No. 654 of 2021, 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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