

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38293 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- KARAHGAR District- Rohtas

1. Bikarama Singh Son of Late Shiv Prasad Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas
2. Vijay Kumar Son of Bikarama Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas
3. Kamlesh Singh Son of Late Shiv Prasad Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas
4. Mukhtar Singh Son of Late Shiv Prasad Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas
5. Balister Singh Son of Late Shiv Prasad Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas
6. Vakil Singh Son of Late Shiv Prasad Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas
7. Lilawati Devi Wife of Bikarama Singh Resident of Village- Khairahi, P.O-Badahari, P.S- Karegahar, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the State : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2024 Heard Mr. Dhaneshwar Prasad Gupta, learned
counsel for the petitioners and Mr. Nand Kishore Prasad,
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Karahgar P.S. Case No. 54 of 2024, F.I.R. dated
04.02.2024 for the offences punishable under Sections 147, 149,
341, 323, 325, 337, 379 and 504 of the Indian Penal Code.



3. According to prosecution case, petitioners are said to have assaulted the informant and her family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that due to admitted land dispute the present occurrence has taken place. He further submits that the present case is a counter blast of Kargahar P.S. Case No. 53 of 2024 which was filed by the petitioner no.3 against the the informant and her family members. He further submits that from a bare perusal of the FIR it appears that the FIR is in two part in first part there is no specific allegation against any petitioner and in second part there is specific allegation against petitioner no.2 that he assaulted by the butt of the pistol the informant. 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 petitioners on the ground that petitioners carry one criminal antecedent other than the present one but fairly submits on the basis of the paragraph-3 of the bail petition that the petitioners are on bail in the pending matter.



6. Considering the aforesaid facts and circumstances, let the petitioners, 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Cum-Sub Judge-XII in connection with Kargahar P.S. Case No. 54 of 2024, 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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