

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46203 of 2024

Arising Out of PS. Case No.-429 Year-2022 Thana- KHUSRUPUR District- Patna

1. Jitendra Kumar Son of Dhirendra Singh Resident of Village- Mansoorpur Dih, P.S- Khushrupur, Dist- Patna
2. Sugendra Singh @ Sukan Singh Son of Chanarik Singh Resident of Village- Mansoorpur Dih, P.S- Khushrupur, Dist- Patna
3. Sity Singh @ Sita Singh Son of Bhagwat Singh Resident of Village- Mansoorpur Dih, P.S- Khushrupur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
For the Informant	:	Mr. Anil Kumar Choudhary, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 13-12-2024 Heard Mr. Vijay Anand, learned counsel for the petitioners, Mr. Anil Kumar Choudhary, learned counsel for the Informant and Mr. Shyam Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Khushrupur P.S. Case No. 429 of 2022, F.I.R. dated 06.11.2022 registered for the offences punishable under Sections 341, 323, 325, 307, 457, 379, 504, 506/34 of the Indian Penal Code.

3. As per allegation in the F.I.R, petitioner no. 1 has assaulted Neha Devi with iron rod, petitioner no. 3 assaulted



Nirmala Devi with khanti on her leg due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that as per allegation in the F.I.R. that petitioner no. 1 has assaulted to Neha Devi with iron rod and petitioner no. 3 has assaulted to Nirmala Devi with khanti on her leg. Learned counsel for the petitioners submits that both the sides are agnates and there is case and counter case between the parties and both the sides have received injuries. He further submits that after the present occurrence, both sides have settled the dispute through the process of negotiation and counsel for the informant has annexed the copy of the compromise petition which is marked as Annexure-A to the counter affidavit filed on behalf of the informant.

5. Learned counsel for the Informant appears and submits that both the parties have filed compromise petition before the learned Court below.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is case and counter case between the parties and both the



sides have filed compromise petition before the learned Court below, 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 bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Patna City, Patna in connection with Khushrupur P.S. Case No. 429 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, the court below shall take step for cancellation of bail bond 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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