

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41034 of 2024

Arising Out of PS. Case No.-392 Year-2023 Thana- SIKARPUR District- West Champaran

Chandrashekhar Prasad Son of Late Tega Prasad R/O Vill.- Matiariya, Ward
no. 7, P.O. Narkatiyaganj, P.S.- Shikarpur, Dist.- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate
	:	Mr. Abhinav Pandey, Advocate
	:	Mr. Kumud Ranjan, Advocate
For the State	:	Dr. Indihar Kumari, APP
For the Informant	:	Mr. Ashok Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-09-2024 Heard the parties.

2. The petitioner is in custody in connection with Shikarpur P.S. Case No. 392 of 2023 for the offence punishable under sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code lodged on 11.03.2023 by the informant, Hajari Prasad.

3. As per the prosecution story, the allegation in the FIR is that while he was busy storing the grains in the courtyard, his agnate Ragani Kumari started abusing and as the matter escalated, the accused persons armed variously came and further allegation against petitioner is of assaulting one Deepak and Vikash causing injuries to them. The allegation is of use of farsa



and knife by the petitioner.

4. Earlier when the anticipatory bail was preferred (Cr. Misc. No.66026 of 2023), interim protection was granted to the petitioner and the report was called for. The injury report of Vikash Kumar was found to be grievous in nature, the said anticipatory bail was rejected. The petitioner has remained in custody since 27.03.2024 (paragraph no.5 to the petition) and he do not have criminal antecedent.

5. Learned counsel for the informant submits that though injury of other injured person were found to be simple that of Vikash Kumar was found to be grievous.

6. Taking into account the aforesaid submissions put forward by the learned counsel for the petitioner as also the informant and learned APP and further as the learned counsel for the petitioner undertakes that he will be diligently appearing in trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge, 1st Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 392 of 2023, subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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