

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43551 of 2024

Arising Out of PS. Case No.-387 Year-2023 Thana- WARISNAGAR District- Samastipur

Pappu Sah Son Of Raj Kumar Sah Village- Rampur Vishun, Ward No. 12,
P.S.- Warisnagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-10-2024 Heard Mr. Ranjan Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Pawan Kumar Chaurasia,
learned APP appearing on behalf of the State.

2. The petitioner has earlier moved before this Court
for anticipatory bail vide Cr. Misc. No.13643 of 2024, which
was dismissed as withdrawn vide order dated 16.04.2024.

3. Petitioner seeks regular bail in connection with
Warisnagar P.S. Case No. 387 of 2023 registered for offences
punishable under Sections 147, 148, 341, 323, 324, 307, 354,
379, 504 and 506 of the Indian Penal Code.

4. As per the allegation made in the FIR, the
petitioner, along with other co-accused, had assaulted the
informant, her husband and her daughter with an intention to
kill, as a result of which they sustained injuries.



5. Learned counsel appearing on behalf of the petitioner submitted that the petitioner and the informant are neighbours and there is case and counter case between the parties arising out of the same incidence, in which, both the sides sustained injuries and the petitioner, in his self-defence, might have caused some injuries, which may be grievous in nature but not with an intention to kill them. Learned counsel further submitted no repeated assault has been alleged in the FIR. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the nature of allegation, as well as, the fact that both the parties are neighbours and there is case and counter case between them for the same offences, in which, both the sides sustained injuries and the petitioner, in his self-defence, without any intention, might have caused some injuries to the informant and her family members, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur/concerned court in



connection with Warisnagar P.S. Case No. 387 of 2023 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Niraj/-
Ashishsingh/-

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