

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46472 of 2024**

Arising Out of PS. Case No.-754 Year-2022 Thana- SARAIYA District- Muzaffarpur

Chandan Kuamar @ Chandan Kumar Ray Son Of Rambhroas Ray, Village-
Basanturpatti, Bakhri, P.S.- Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-07-2024 Heard Mr. Raju Kumar, the learned counsel for the

petitioner and Mr. Raj Kishor Singh, the learned Additional

Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
04.04.2024, in connection with Saraiya P.S. Case No. 754 of
2022, FIR dated 15.10.2022, registered for the offences
punishable under Sections 341, 323, 324, 325, 307, 379, 504
and 506 read with Section 34 of the Indian Penal Code.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 86494, which was rejected vide
order dated 19.03.2024.

4. According to the prosecution case, the co-accused
persons assaulted the informant and his sister due to which the
eye of informant got damaged. It is further alleged that co-
accused persons snatched Rs. 5,000/- (Rupees five thousand)



and gold ring from the informant.

5. 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 upon perusal of the FIR, it appears that there is direct and specific allegation against the petitioner that he has assaulted to the informant and although the informant has received the injury, after sometime both the parties have filed a compromise petition before the learned trial Court (Annexure-3). He lastly submits that the police after investigation has submitted chargesheet against the petitioner and the petitioner is in judicial custody since 04.04.2024.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and compromise petitioner has been filed by both the parties, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, West Muzaffarpur, in connection with **Saraiya P.S. Case No. 754 of 2022**, subject to



the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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