

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63754 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Bikash Pandey @ Bikash Kumar Pandey Son of Late Ram Manohar Pandey
R/V- Village- Jigina, P.S.- Mohaniya, Distt.- Kaimur At Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-10-2024 Heard Mr. Yogesh Chandra Verma, learned Senior
counsel for the petitioner and Mr. Binod Kumar, learned APP
for the State.

2. Petitioner seeks bail, who is in custody since
17.06.2024, in connection with Mohaniya P.S. Case No. 85 of
2024, F.I.R. dated 11.02.2024 registered for the offences
punishable under Sections 341, 323, 325, 307, 506, 504 of the
Indian Penal Code.

3. Allegation against the petitioner is that he assaulted
to the husband of the informant due to which hand of the
husband of the informant has been fractured and he fell down on
ground.

4. Learned Senior counsel for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and



has been falsely implicated in the present case. He further submits that although there is specific allegation against the petitioner in the F.I.R. but from perusal of the F.I.R. it appears that due to some petty dispute the present occurrence had taken place and there was no intention to kill the husband of the informant and from perusal of the injury report of the husband of the informant which suggests that one injury is on the right hip and one injury is simple in nature and another is grievous in nature. Further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.06.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Kaimur at Bhabhua in connection with Mohaniya P.S. Case No. 85 of 2024, subject to the following conditions :-

(1) Petitioner 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.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below 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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