

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62431 of 2024

Arising Out of PS. Case No.-68 Year-2022 Thana- AMAUR District- Purnia

Akhtar Son of Late Rahman R/o Egachhiya, Digdhi Tola, P.S.- Amour,
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 341, 148, 149, 307, 379, 324
and 504 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody since
01.07.2024 and on account of dispute relating to land, the occurrence
took place wherein it is alleged that petitioner assaulted the informant
by sword causing injury on his head.

4. Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR, it would manifest that
other accused persons also assaulted the informant by lathi and danda
and thus it might be a possibility that the injury suffered by the
injured was on account of assault by lathi and danda and not by
sword.



5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner and submits that the wound is a cut injury on the temporal region of the informant and the injury has been opined to be grievous.

6. Learned counsel appearing on behalf of the petitioner submits that petitioner is not a criminal and on account of dispute relating to land, the occurrence is alleged to have taken place. It is further submitted that charge-sheet has been submitted and thereafter charges have been framed against the petitioner but trial has not commenced.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amour P.S. Case No. 68 of 2022.

8. However, the learned trial court before accepting the bail bonds of the petitioner shall verify as to whether charges against the petitioner have been framed or not and if it is found that charges against the petitioner have not been framed in that event the present bail order shall not be given effect to.

(Satyavrat Verma, J)

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