

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64492 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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MITHILESH CHAUDHARY Son of Naresh Chaudhary R/o vill - Mirbigaha,
P.S. - Shekhopur Sarai, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 29-02-2024 Heard Mr.Bipin Kumar,learned counsel for the

petitioner and Ms.Sucheta Yadav, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sekhopur Sarai P.S.Case No.209 of 2022,FIR
dated 15.12.2022 registered for the offences punishable under
Sections 147,148,149,448,341,307,323,324,325,379,504,506 of
IPC.

3. Allegation against the petitioner is that he gave
Hasuli blow to the informant due to which the palm of the
informant's left hand got injured. He again gave Hasuli blow to
the informant which caused injury to her right hand.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.



Further submits that due to admitted land dispute the present occurrence had taken place and there is case and counter case between the parties and as per allegation in the FIR the petitioner has assaulted to the informant and she has received injury in her hand. Learned counsel for the petitioner submits that although the injury of the informant suggests that she has received the injury and the opinion is reserved by the Medical Officer with respect to the injury of the informant. Further submits that due to present occurrence both the parties have received injury.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that the pending cases were filed by the family members of the informant.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Sekhopur Sarai P.S.Case No.209 of 2022,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(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 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/her criminal antecedent, 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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