

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74200 of 2024

Arising Out of PS. Case No.-253 Year-2024 Thana- Kharagpur District- Munger

Madan Bind S/O Bhuneshwar Bind @ Bhum Bind @ Bindeshwari Binda
Resident of village- Barui, P.S- Haveli Kharagpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate
For the State : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Kharagpur P.S. Case No. 253 of 2024 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2) 118(1), 109, 324(4), 125, 352, 351(2) and 74 of the Bharatiya Nyaya Sanhita, lodged on 24.07.2024 by the informant, Sonam Kumari.

3. As per the prosecution story, the informant alleged that the accused persons came and start abusing. Upon objection, allegation is that the petitioner gave *axe* blow on the head of his brother. The allegation of assault on the other family is/are also there. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that a minor scuffle has been given the role of assault. The petitioner is



a daily wager but has been falsely implicated in this case. He further submits that the injury has been found to be simple in nature.

5. Learned APP for the State opposes the prayer submitting that the injury has been found to be simple in nature.

6. Taking into account the submission put forward by the parties as also that the injury has been recorded as simple in nature, he is in custody since 25.07.2024 (paragraph no.12 of the petition), this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Munger in connection with Kharagpur P.S. Case No. 253 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

