

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73382 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- HASANPUR District- Samastipur

Arjun Singh Son of Ram Sagar Mahto Resident of Village -Maldah, Police
Station -Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik, Adv.
For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Hasanpur P.S. Case No. 81 of 2024 for the offences punishable under Sections 126(2), 127(2), 115(2), 352, 351(3), 121(1), 132, 109(1), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023 read with Sections 25(1-A)B of the Arms Act, lodged on 20.07.2024 by the informant, Ramesh Kumar.

3. As per the prosecution story, the informant alleged that upon secret information that the accused Sunil Kumar in connection with Hasanpur P.S. Case No. 67 of 2024 is present at his residence, the police went there but it was assisted by the said person along with his wife and this petitioner. Further allegation against the accused Sunil Kumar is of assaulting the police personnel, while the wife pulled the hair of another sepoy Dharmendra Kumar. Accordingly, the F.I.R.



4. Learned counsel for the petitioner submits that the petitioner being the brother-in-law has been implicated. The allegation against Sunil Kumar is of assaulting the police personnel. The petitioner has already suffered by being in custody since 21.07.2024 (para 14 of the petition) and further do not have criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the aforesaid submission put forward by the parties, as also the fact that he is in custody since 21.07.2024, the allegation of assault is against Sunil Kumar, the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

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, Rosera at Samastipur in connection with Hasanpur P.S. Case No. 81 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.

8. Before parting, this Court would like to put on record its word of appreciation for Mr. Pratik, learned counsel for the petitioner for proper assistance rendered in the matter.

(Rajiv Roy, J.)

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