

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74065 of 2023

Arising Out of PS. Case No.-388 Year-2023 Thana- JAMUI District- Jamui

Sandip Thakur Son of Ravindra Thakur Resident of Village - Indpe, P.S.-
Jamui, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-02-2024 Heard Mr. Arvind Prasad Singh, learned counsel for
the petitioner and Mr. Satya Nand Shukla, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jamui P.S. Case No. 388 of 2023, F.I.R. dated 23.06.2023 for the offences punishable under Sections 341, 323, 354B, 307, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner has assaulted the wife of the informant and when she raised alarm, this petitioner fled away and in the meantime two accused persons came and they assaulted the informant who was trying to chase the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that as per the F.I.R, the



petitioner has assaulted the wife of the informant by means of iron rod due to which she sustained injuries. He further submits that the injury report of the wife of the informant suggests that the injury no. 1 and 2 are simple in nature and with respect to injury no. 3 the doctor has stated that the injured person had not submitted the required reports. He further submits that due to petty dispute the present occurrence has taken place and there was no intention to kill the wife of the informant as there was no repetition of assault.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has assaulted the wife of the informant and apart from that the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S.



Case No. 388 of 2023, 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 absence on two consecutive dates without sufficient reason, his 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 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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