

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.520 of 2024

Arising Out of PS. Case No.-199 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Ravikant Sharma Son Of Biran Sharma @ Bikram Sharma R/O Village-
Rajapatti, P.S.- Baikunthpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachina, Advocate

For the State : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr. Sachina, learned counsel for the
petitioner and Mr. Mithlesh Kumar Khare, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baikunthpur P.S. Case No. 199 of 2022, F.I.R. dated 12.07.2022 for the offences punishable under Sections 341, 323, 324, 307, 427, 335, 379 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, petitioner along with other co-accused persons are said to have assaulted the informant and his family members due to which they sustained injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that due to



admitted land dispute the present occurrence has taken place. He further submits that as per the allegation in the FIR it appears that petitioner has assaulted the informant with *farsa* at his head. He further submits that although the informant has received two injuries but injury report of the informant suggests that one injury is simple in nature and second injury suggests that injury is sharp cutting weapons and injury may be dangerous to life. He further submits that there is case and counter case between the parties.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner having clean antecedent and there is admitted land dispute between the parties and injury found upon the informant is simple in nature, 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 C.J.M., Gopalganj in connection with Baikunthpur P.S. Case No. 199 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 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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