

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83905 of 2023**

Arising Out of PS. Case No.-96 Year-2017 Thana- WARISLIGANJ District-
Nawada

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Jitendra Singh @ Jitendra Kumar Singh @ Shivam Kumar @ Jitendra
Kumar SON OF BINDESHWARI SINGH R/O VILLAGE- SIMRIDIH, P.S.-
WARISALIGANJ, DIST.- NAWADA

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Mr. Krishna Prasad Singh, learned counsel for
the petitioner and Mr. Rajendra Singh, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Warisaliganj P.S. Case No. 96 of 2017 registered for the
offence under Sections 307, 323, 324, 341, 34 of the Indian Penal
Code.

The petitioner allegedly gave a knife blow on the
stomach of the informant causing him injury.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the allegation as alleged in the
F.I.R. is that the petitioner has inflicted knife blow in the stomach
of the informant. However, the police after investigation has



submitted chargesheet against the co-accused person and has not sent up the petitioner for trial. He further submits that the learned Magistrate deferring the police report has taken cognizance under Sections 307/34, 323, 324 of the Indian Penal Code against the petitioner.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner that he has inflicted knife injury to the stomach of the informant and apart from that the petitioner carries one more case other than the present one but according to paragraph-3 of the petitioner, he has been allowed bail in the pending case.

Considering the facts and circumstances of the case, let the, above named, petitioner, in the event of his arrest or surrender before the court below within a period of four weeks, 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 A.C.J.M.-II, Nawada in connection with Warisaliganj P.S. Case No. 96 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-

(1) 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 canceled by the Court below.

(2) 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.

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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