

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2880 of 2024

Arising Out of PS. Case No.-279 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Surendra Turha @ Labara Turha @ Surendra Prasad S/O Jawahir Turha @
Jawahir Sah @ Jawahir Turha R/O Village- Masarh, P.S- Udwant Nagar,
Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Udwant Nagar P.S. Case No. 279 of 2023, lodged on 23.06.2023
under Sections 341, 323, 325, 307, 506, 504/34 of the Indian
Penal Code.

3. As per the prosecution case, FIR has been lodged
against 4 named accused persons including the present
petitioner. The allegation against the present petitioner is that he
has injured the informant by physical attack by using bricks due
to which the informant became unconscious and his hand got
fractured.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that there is a general and omnibus allegation



against the petitioner. Counsel further submits that from the contents of the FIR, no injury has been caused by the petitioner on the head of the informant.

5. Learned counsel for the petitioner submits that the antecedent of the petitioner is not clean and there are three criminal cases pending against him in which he is on bail. The petitioner is in custody since 25.07.2023.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that injury report has been annexed as Annexure-2 by which, it is clear that the said injury is grievous in nature. Counsel also submits that the antecedent of the petitioner is not clean and the petitioner is accused in three criminal cases which are all relating to N.D.P.S. Act.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge, if not framed as well as the Trial Court on being satisfied with the affidavit to be submitted by the petitioner before the Trial Court indicating therein that he is not absconding in any of the three cases**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Bhojpur at Ara in connection with Udwant Nagar P.S. Case No. 279 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member 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 and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J.)

Divyansh/-

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

