

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1037 of 2024

Arising Out of PS. Case No.-219 Year-2023 Thana- SANGRAMPUR District- East
Champaran

Radhamohan Singh Son Of Amar Singh Vill-Sikandarpur, Ward No 11, Ps-
Sangrampur, East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr. Rakesh Kumar, learned counsel for the

petitioner and Mr. Humayou Ahmad Khan, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sangrampur P.S. Case No. 219 of 2023, F.I.R.
dated 16.06.2023 for the offences punishable under Sections
341, 342, 323, 324, 307, 308, 379, 504/34 of the Indian Penal
Code.

3. According to prosecution case, this petitioner along
with other accused persons have assaulted the informant due to
some land dispute.

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 the
petitioner and the informant are brother. He further submits that



there is specific allegation against the petitioner that he has assaulted the informant but the injury report of the informant suggests that he has received total 5 injuries and out of 5 injuries, 4 injuries are simple in nature caused by hard and blunt substance and the opinion for injury no. 1 is reserved by the Doctor and from perusal of the injury no. 1 it appears that there is abrasion between the root of nose and left eye.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and informant is the brother of petitioner and the injury report of the injury suggest that out of 5 injuries, 4 are 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 Judicial Magistrate 1st Class, Sadar at Motihari, East Champaran in connection with Sangrampur P.S. Case No. 219 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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