

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2077 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- PALANWA District- East Champaran

Nasib Alam s/o Nuhul Mohmmad Sah vill.- Gad Siswaniya, P.S.- Palanwa,
Dist.- E. Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2024 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner and Mr. Amitesh Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Palanwa P.S. Case No. 155 of 2023, F.I.R. dated 27.07.2023 for the offences punishable under Sections 447, 341, 323, 307, 354-B, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioner is said to have given farsa blow on the head of the informant's mother, namely, Samsha Khatoon.

4. Learned counsel for the petitioner submits that petitioner has is innocent and he has falsely been implicated in the present case. He further submits that there is case and



counter case between the parties. He further submits that the injury report of the victim suggests that the injury found upon the victim is simple in nature caused by hard and blunt substance.

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

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 S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Palanwa P.S. Case No. 155 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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