

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2116 of 2024

Arising Out of PS. Case No.-202 Year-2021 Thana- JADIA District- Supaul

Shambhu Risideo @ Sambhu Rishideo S/O Late Rfanni Rishideo @ Fanni
Rishideo Village- Parsagarhi, Ps. Jadia, Dist. Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate
For the State : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-04-2024 Heard Mr. Prafull Chandra Thakur, learned counsel
for the petitioner and Mr. Surendra Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jadia P.S. Case No. 202 of 2021, F.I.R. dated 23.09.2021 for the offences punishable under Sections 341, 323, 354, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioner is said to have assaulted the father-in-law of the informant with *farsa* due to which he sustained injury.

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 some petty dispute the present occurrence has taken place. He



further submits that from a bare perusal of the FIR it appears that the petitioner has assaulted to the father-in-law of the informant due to which he received injuries but there was no intention to kill the father-in-law of the informant and injury report of the injured person suggests that the injury is simple in nature.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner having clean antecedent and injury report of the injured person suggests that the injury 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 A.C.J.M. V, Supaul in connection with Jadia P.S. Case No. 202 of 2021, 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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