

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17802 of 2025

Arising Out of PS. Case No.-365 Year-2023 Thana- DAUDPUR District- Saran

Manjur Ali Son of Hafiz Ali Village- Bangra PS -Daudpur Dist -Saran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopesh Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-03-2025 Heard Mr. Gopesh Raj, learned counsel for the petitioner and Mr. Awadhesh Kumar Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 17.01.2024, in connection with Sessions Trial No. 301 of 2024 arising out of Daudpur P.S. Case No. 365 of 2023, F.I.R. dated 01.11.2023 registered for the offences punishable under Sections 341, 323, 324, 326, 307, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner along with other co-accused person came to the house of the informant and taken away the informant's son on the motorcycle to the river and asked him to spend money and on denial they assaulted him with danda and rod and threw acid upon the son



of the informant due to which back of the waist, hand and fingers were burnt.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that although there is specific allegation against the petitioner and co-accused person Lakhan Kumar Sah that they poured the acid upon the son of the informant. He further submits that it appears from the F.I.R. itself that the informant is not an eye witness of the alleged occurrence and co-accused against whom the similar allegation namely Lakhan Kumar Sah has been granted the privilege of anticipatory bail by this Court vide order dated 04.04.2024 in Cr. Misc. No. 20712 of 2024. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.01.2024.

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

6. Considering the aforesaid facts and circumstances



of the case and the fact that the petitioner having clean antecedent and the injury inflicted upon the son of the informant is simple in nature as well as co-accused Lakhan Kumar Sah against whom the similar allegation has been granted the privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VIITH, Saran at Chapra in connection with Sessions Trial No. 301 of 2024 arising out of Daudpur P.S. Case No. 365 of 2023, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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