

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71102 of 2024

Arising Out of PS. Case No.-416 Year-2015 Thana- BIHTA District- Patna

Abhishek Kumar Late Yadunandan Sharma Resident of Village- Raghopur,
PS-Bihta, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kumar Kaushlendra, Adv.
For the informant		Mr. Binod Kumar Paswan, Adv.
		Mr. Balajeet Kumar, Adv.
		Mr. Raghuveer Paswan, Adv.
For the Opposite Party/s :		Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.Tr. No. 848/A/2016 arising out of Bihta P.S. Case No. 416 of 2015 dated 10.06.2015 registered for the offence/s punishable u/ss 452, 341, 323, 324, 326A, 307, 337 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant and her sister and they threw acid on the informant causing injury to her and her sister.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The charge-sheet has been submitted against the petitioner and learned court below has been pleased to take cognizance accordingly. It is further submitted that the petitioner was earlier granted bail by the learned court below in 2015 but the petitioner was out of town for his and his family's livelihood and working as a Security Guard and therefore he was unaware about the proceedings of the case or any notice or summons which have ever been properly served on the petitioner or about any nor BW or NBW or process under Section 83 which have been properly executed. The petitioner had no knowledge about the submission of charge-sheet nor does he had any knowledge about the commencement of trial after taking cognizance. It is further submitted that the petitioner was not aware about the proceedings of court below. It is the case of first instance of misuse of privilege of bail granted to the petitioner. It is further submitted that the petitioner will be physically present in the court in further and co-operate the trial. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna at Bihar in connection with S.Tr. No. 848/A/2016 arising out of Bihta P.S. Case No. 416 of 2015, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii). The petitioner is directed to cooperate in the trial before the learned court below.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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