

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75385 of 2024

Arising Out of PS. Case No.-736 Year-2023 Thana- HARSIDHI District- East Champaran

Sonelal Sharma Son of Amiraka Sharma Resident of village - Goithaha
Badhai Tola, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Binod Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Harsidhi P.S.Case No.736 of 2023,FIR dated 18.12.2023 registered for the offences punishable under Sections 341,323,307,379,354(B),504,506,34 of IPC.

3. Allegation against the petitioner is that he assaulted to the informant on his head with sharp cut weapon i.e. Farsa, he sustained head injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated. Although it appears from the FIR



that due to admitted land dispute, the present occurrence had taken place and there is case and counter case, although there is specific allegation against the petitioner that he assaulted to the informant and his family members including his wife but although they have received injury but injury report of the informant and his wife suggests that the injury is simple in nature, one injury inflicted by sharp edged object and injury Nos.2 and 3 caused by hand and blunt object.

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

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case and injury inflicted upon the injured persons in simple in nature, let the petitioner, above named, in the event of his 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 learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Harsidhi P.S.Case No.736 of 2023,subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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