

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77675 of 2024

Arising Out of PS. Case No.-70 Year-2022 Thana- HASPURA District- Aurangabad

Parshuram Verma Son of Surajmal Mahto Resident of Village - Jakhaura, P.S.
- Haspura, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Haspura P.S. Case No. 70 of 2022 for the offence punishable under sections 147, 149, 341, 323, 325, 379, 307, 354, 504 and 506 of the Indian Penal Code lodged on 15.03.2022 by the informant, Anita Kumari.

3. As per the prosecution story, the allegation aaint this petitioner amongst other is of assaulting the informant side causing injury to his brother and *bhabhi* inasmuch as the leg of his brother was fractured while his *bhabhi* also sustained injury on the head, thereafter, they were taken to Haspura Hospital and from there, they are shifted to Gaya Hospital. As per the injury reports opinion about them was/were reserved. This led to the FIR.



4. Learned counsel for the petitioner submits that though the allegation of assault is there, the injury has been found to be simple in nature as is evident from paragraph-9 of the petition and despite he being in custody since 22.11.2023 (paragraph-16 of the petition), the trial has not yet come to an end. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 10,000/- towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer for bail submitting that he fractured the leg.

6. Having gone through the facts of the case, though the allegation is there, the fact remains that he has remained in custody since 22.11.2023, as undertaken, he shall be diligently appearing in trial and the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner



to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. If, however, it is found that contrary to the statement made in paragraph-9, the injury is grievous, the present order shall become infructuous.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ADJ-IX, Aurangabad, in connection with Haspura P.S. Case No. 70 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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