

Arising Out of PS. Case No.-583 Year-2022 Thana- KHAGARIA District- Khagaria

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jasjit Pranjal, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Ms. Jasjit Pranjali, learned counsel for the
petitioner as well as Mr. Syed Mojibur Rahman, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 18.05.2025 in connection with Khagaria (Gangaur) P.S. Case No. 583 of 2022, F.I.R. dated 19.06.2022 for the offences punishable under Sections 147, 323, 341, 307, 302, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, it is alleged that the petitioner along with other accused persons assaulted the informant, his brother and his other companions by means of iron rod.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that although the



petitioner is named in the FIR but specific allegation of assault is attributed against co-accused persons namely, Amar Singh and Vishal Singh and there is no specific allegation of assault or overt act against this petitioner. The present case is counter blast of Khagaria (Gangaur) P.S. Case No. 569 of 2022 filed by the petitioner's side against the informant and others and one Title Suit bearing Title Suit No. 495 of 2021 is pending between the parties and petitioner has no role at all in the present occurrence and he has been made accused only on the basis of suspicion and at best the petitioner is the member of the mob. She further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 18.05.2025.

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

6. Considering the aforesaid facts and circumstances as well as taking into consideration the period of custody and the fact that petitioner has clean antecedent and there is no specific allegation of assault or overt act against this petitioner, let the petitioner, above named, 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 Court below in



connection with Khagaria (Gangaur) P.S. Case No. 583 of 2022,
subject to the 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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