

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26062 of 2020

Arising Out of PS. Case No.-324 Year-2019 Thana- KARAKAT District- Rohtas

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LAL BABU PASWAN @ LAL BABU RAM

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-10-2020

The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in a case registered under Sections 341, 323, 504, 34 of the Indian Penal Code and 25(1-B)a (26) 35 of Arms Act.

Allegation against petitioner and other co-accused is of abusing and assaulting the informant by means of butt of the rifle.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics. It has been further submitted that alleged rifle



was snatched by the people and same was produced before the police. There is case and counter case and the present case has been lodged only to pressurize the petitioner to compromise in the case lodged by the wife of cousin brother of petitioner. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramgannj, Rohtas, in connection with Karakat P.S. Case No. 324 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

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

(S. Kumar, J)

veena/rajiv-

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