

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1728 of 2020

Arising Out of PS. Case No.-117 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

Viveka Bharti @ Vivekanand Bharti 50 yrs, male Son of Ankit Bharti Resident
of Village- Jungnagar, ward No.37, P.S- Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Rita Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Ram Krishna Nagar P.S. Case No. 117 of 2018 registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

In the F.I.R., it is alleged that petitioner alongwith co-accused abused & beaten the informant and tried to outrage the modesty of informant's wife and also took away Rs. 2,700/- (two thousand & seven hundred) from the pocket of informant.

It is submitted on behalf of petitioner that there is general and omnibus allegation. It is further submitted that there is land dispute between informant and petitioner's neighbour namely Sanjay Modi and since petitioner is friend of Sanjay Modi, he (petitioner) has been implicated in the present



case. The allegation of outraging the modesty of informant's wife is mere exaggeration. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 A.C.J.M., Patna in connection with Ram Krishna Nagar P.S. Case No. 117 of 2018 on the following conditions:

“(1) Petitioner shall cooperate 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.

(2) 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.”

(Prabhat Kumar Singh, J.)

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