

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.13037 of 2021**

Arising Out of PS. Case No.-204 Year-2020 Thana- NARDIGANJ District- Nawada

VIVEK KUMAR @ CHHOTU @ VIVEK KUMAR CHHOTU Son of
Dayanand Singh Resident of Village - Shadipur, Police Station - Nardiganj,
District - Nawada.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Raj Kumar, Advocate
For the Informant	:	Mr.Sandip Kumar, Sr. Advocate
		Mr. Alok Kumar Shahi, Advocate
For the State	:	Mr. Mithilesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 27-08-2021 Heard learned counsel for the petitioner, Mr. Sandip Kumar, learned Senior Counsel for the informant assisted by Mr. Alok Kumar Shahi, learned Advocate and Mr. Mithilesh Kumar Khare, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Nardiganj P.S. Case No. 204 of 2020 registered for the offence under Section 341, 323, 324, 307, 379, 448, 427, 385, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act. He is in custody since 10.09.2020.

As per the prosecution story, this petitioner was one amongst the named accused who had gone to the showroom and had indulged in the alleged occurrence wherein the wife of the informant suffered injury on her thigh due to fire allegedly

given by the co-accused Golu Kumar. So far as this petitioner is concerned, there is no allegation that he had assaulted anybody from the informant side.

Learned counsel for the petitioner submits that in similar circumstance co-accused namely Raushan Kumar @ Chamo Singh has been granted bail by learned coordinate Bench of this Court in Cr. Misc. No. 3023/2021. Learned counsel submits that petitioner has got one criminal antecedent in which he has been acquitted.

Learned Senior Counsel for the informant as well as learned A.P.P. for the State have though opposed the prayer for bail of the petitioner saying that this petitioner was also along with the others who had gone to the showroom and had indulged in asking for Rangdari, on noticing the facts and circumstances wherein no specific allegation has been made against the petitioner of causing assault and the co-accused similarly situated has been granted bail, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Nawada, in connection with Nardiganj P.S. Case No. 204 of 2020, subject to the

condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.