

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2028 of 2022

Arising Out of PS. Case No.-363 Year-2016 Thana- BODHGAYA District- Gaya

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SHAMBHU KUMAR Son of Kuldip Paswan Resident of Village- Mastpura,
P.S.- Bodh Gaya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy
For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-08-2022 Learned counsel for the petitioner has filed
supplementary affidavit in Court, which is kept on record.

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

The petitioner apprehends his arrest in connection
with Bodhgaya P.S. Case No.363 of 2016, registered for the
offences punishable under Sections 341, 323, 325, 379, 504 and
34 of the Indian Penal Code.

The petitioner and other co-accused persons are said
to have assaulted the informant and snatched Rs.2000/- from his
possession.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. There is general and omnibus allegation against



the petitioner. It is also submitted that the petitioner has got four criminal antecedents as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the fact that there is general and omnibus allegation against the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No.363 of 2016, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on



two consecutive dates, his bail bonds shall be liable to be cancelled.

(iii) That the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(iv) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J.)

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