

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2252 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Sikandar Ram S/o Late Hansi Ram R/o village- Rampur Samthu, Ward No.
03, P.S.- Angarghat, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 188A, 147, 148, 149, 341,
323, 325, 332, 333, 307, 353, 427, 504 of the Indian Penal Code
and Section 37(C) of the Bihar Excise Amendment Act, 2016.

According to prosecution case, on 10.10.2021 the

informant was deputed at counting centre with other officials
and on the same day on the order of senior officials counting was
stopped for the next day. Thereafter, Indu Kumari candidate of
Mukhiya along with her relatives gathered over there and started



shouting against the administration. On the next day, her relatives along with 200 supporters entered the counting centre and started pelting bricks and stone on the police officials and during the course of such incidents three persons were seriously injured.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the petitioner was not apprehended at the spot. He further submits that there is general and omnibus allegation against all the accused persons including the petitioner. The petitioner is not named in the F.I.R. and nothing has been recovered from the possession of the petitioner. Similarly situated co-accused Dilip Kumar Ram and Rajesh Ram has been granted bail by this Court vide order dated 11.03.2022 in Cr. Misc. No. 71549 of 2021 and another co-accused namely Indu Kumari has been granted bail by this Court vide order dated 11.03.2022 in Cr. Misc. No. 72079 of 2021 respectively. The petitioner is in custody since 13.10.2021.

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

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Court below where the case is pending in connection with Samastipur Muffasil P.S. Case No. 423 of 2021, with the following conditions :-

(1) 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.

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

(3) 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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