

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2893 of 2022

Arising Out of PS. Case No.-418 Year-2020 Thana- BIDUPUR District- Vaishali

ANUJ KUMAR @ ANUJ KUMAR SINGH Son of Late Shankar Singh
Resident of Village - Basantpur Kakarhatta, P.S. Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-05-2022 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

A supplementary affidavit bringing on record the
surrender certificate of the petitioner has been filed on
behalf of the petitioner in compliance of the order dated
28.03.2022 by which the petitioner has been granted
provisional bail and the same is on record.

Petitioner seeks bail in connection with Bidupur
P.S. Case No. 418 of 2020 registered for the offences
punishable under Section 147, 148, 149, 323, 324, 307, 302
of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, the son of the
informant is said to have been assaulted by the F.I.R. named



accused persons including the petitioner who are said to have variously armed with deadly weapons, as a result of which son of the informant got severe injury who is said to have succumbed before the injuries during course of treatment.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no eye witness to the alleged occurrence and the allegation levelled against the does not supported by the postmortem report. He further submits that there general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. He further submits that the co-accused, namely, Sanjay Kumar @ Sanjay Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 15.02.2022 passed in Cr. Misc. No. 33960 of 2021 and also the co-accused, Saroj Kumar Sinha has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 23.02.2022 passed in Cr. Misc. No. 23484 of 2021. The petitioner is rotting in judicial custody since 14.07.2021.

Learned A.P.P. for the State has opposed the prayer



for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released 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 Court below where the case is pending in connection with Bidupur P.S. Case No. 418 of 2020 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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