

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18894 of 2022**

Arising Out of PS. Case No.-47 Year-2022 Thana- DAUDNAGAR District- Aurangabad

Rahul Kumar Son of Ramakant Paswan @ Ramakant Kumar Resident of
Village - Koni Kutti, P.S.- Mahendia, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-08-2022 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 147, 148, 149, 341, 323, 307, 353, 504, 506 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

As per prosecution case, in brief, is that the informant Arvind Kumar Singh, an A.S.I. in Daud Nagar Police Station along with armed forces reached at Village- Shamsher Nagar, Piripar for investigation of Daud Nagar P.S. Case No. 37 of 2022 where Ravi Kumar found in his house and said to cooperate in investigation but Ravi Kumar, Vikas @ Vishal and present other persons



started to assault of the police forces with lathi-danda for which police forces received injury. Gopal Paswan and Jitendra Kumar said to the people of rush to kill and threw of police whereas Poonam Devi, wife of Dharmendra Paswan threw the crown of iron on the head of Birendra Kumar Paswan, A.S.I. and due to which his head seriously injured and fell there. Further alleged that the police arrested nine persons and six ladies from there. Further the informant has alleged that the Birendra Kumar Paswan was taken for treatment but the doctor referred for Patna and other constables also under treatment in Arvind Hospital, Daud Nagar.

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 it appears from the F.I.R. that there is no accusation against the petitioner that he assaulted the police and there is general and omnibus allegation against co-accused persons including the petitioner. He further submits that altogether 50 to 55 persons are accused in the present case and there is nothing specific allegation against the petitioner and the petitioner is in custody since 28.01.2022.

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 Daud Nagar P.S. Case No. 47 of 2022, 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 antecedents, 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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