

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30039 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- MEHANDIGANJ District- Patna

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LALIYA DEVI W/O YOGENDRA RAI R/O VILLAGE-RANIPUR
MEHANDIGANJ, P.S.-MEHANDIGANJ, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence under Sections 147, 148, 149, 341, 323, 504, 506, 307, 332, 333, 342, 224, 201, 338, 427, 353, 225 and 379 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that altogether 35-40 men and 10-12 women were throwing stones upon the prosecution party during the raid conducted by the police in which 30 liters of foreign liquor has been recovered.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that the petitioner has not been named in the F.I.R. but merely on



the basis of confessional statement of the co-accused, Manchan Kumar, he has been made accused in this case merely on the basis of suspicion. He further submits that similarly situated accused, namely, Rajiv Kumar @ Rajiv has already been granted the privilege of anticipatory bail vide order dated 20.01.2021 passed in Cr. Misc. No. 29216 of 2020. Hence, the petitioners may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of his arrest or surrender within a period of four weeks, be released on anticipatory 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 Mehandiganj P.S. Case No. 57 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

(1) Petitioner shall co-operate in the investigation 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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