

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29833 of 2021**

Arising Out of PS. Case No.-66 Year-2020 Thana- BELAGANJ District- Gaya

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AKHILESH PASWAN SON OF LATE GULAB PASWAN R/O VILLAGE-
MURGAWAN, P.S.-BELAGANJ, DISTRICT- GAYA.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-06-2022 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, 307, 379 and 504 of the Indian Penal Code.

The accusation in the F.I.R. is of the accused persons assaulting the members of the prosecution party due to which they sustained injuries.

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 there is general and omnibus allegation against the petitioner and no specific allegation of assault is



attributed to him. He, however, further submits that it appears from the injury report that the injury caused to the victim is simple in nature. He further submits that the informant and the petitioner happen to be gotiya and there is land dispute between the parties and on account of that, the petitioner has been dragged in this case. He further submits that similarly situated accused, namely, Ramakant Paswan has already been granted the privilege of anticipatory bail vide order dated 09.09.2021 passed in Cr. Misc. No. 3678 of 2021. Hence, the petitioner 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 Belaganj P.S. Case No. 66 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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