

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36348 of 2021**

**In
CRIMINAL REVISION No.218 of 2021**

Arising Out of PS. Case No.-161 Year-2016 Thana- WAJIRGANJ District- Gaya

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PUSHKAR KUMAR @ TINKU KUMAR S/o- Late Ram Lakhan Chaudhary
Resident of Majhagawan, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Hemanti Devi Wife of Sri Rameshwar Pal Resident of Village-
Bhakhara, P.S.- Daudnagar, District- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Nath, Adv
For the Opposite Party/s : Mr.A.P.P.

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

5 10-01-2022 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 the
learned A.P.P. for the State in virtual Court proceeding.

Supplementary affidavit has been filed by the
petitioner.

The petitioner seeks bail in connection with Wajirganj
P.S.Case No.161 of 2016 registered for the offence under
Sections 341,323,324,326,307,354/34 of the Indian Penal Code.

The prosecution case, in short, is that on the
fardbeyan of informant who stated that on 14.05.2016 she was



on the way to Wajirganj Bazar and at about 10.00 A.M. she heard alarm near Sarashwati High School whereupon she went there and saw 3-4 boys, all having knife in their hands, were stabbing to her daughter and upon raising alarm all of them fled away. However, with the help of villagers one boy was caught by them at about 500 meters away from the spot who disclosed his name as Ravi Kumar and later he was handed over to the police. Since her daughter had suffered multiple injuries she was rushed to Primary Health Centre, Wajirganj.

Learned counsel appearing for the petitioner submits that vide order dated 24.05.2016 Section 302 of IPC was added. He further submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the police, after investigation, submitted chargesheet against the petitioner and petitioner is in custody since 27.05.2016.

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

Considering the aforesaid fact and period of custody, let the petitioner, above named, 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 Additional



District and Sessions Judge-III, Gaya in connection with Wajirganj P.S.Case No.161 of 2016 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 cancelled 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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