

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34495 of 2021

Arising Out of PS. Case No.-304 Year-2020 Thana- CHANPATIA District- West Champaran

ABHYAS SINGH @ ABHYASH SINGH @ ABHYAS KUMAR SINGH Son
of Ramashish Singh Resident of Village - Kudwa Matia, P.S.- Kumarbagh
O.P., District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 02-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Chanpatia
P.S. Case No. 304 of 2020 registered for the offence under
Sections 341, 323, 307, 385, 387, 504 and 506/34 of the Indian
Penal Code.

The prosecution case, in short, is that as per the First
Information Report, this petitioner along with other co-accused
persons demanded *rangdari* of Rs. One lakh from the informant,
who is doctor, and on refusal, the accused persons came to his
clinic and assaulted him by *phattha* and co-accused Ayush
pointed Katta at his temple and extended threat to kill him.

Learned counsel for the petitioner submits that the



petitioner is not named in the first information report. It is further submitted that the petitioner has falsely been implicated in the present case only on the basis of the confessional statement of the petitioner. It is further submitted that except the said confessional statement of the petitioner, nothing has come during the course of investigation against the petitioner. It is further submitted that co-accused, namely, Ayush Pandey & Kundan Pandey have been granted bail vide order dated 19.07.2021 and 13.12.2021 passed in Cr. Misc. No. 16866 of 2021 and Cr. Misc. No. 38503 of 2021 by a co-ordinate Bench of this Court. It is further submitted that after investigation, charge sheet has been submitted against the petitioner and the petitioner is in custody since 19.10.2020.

Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner carries ten more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above name, 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 Chief Judicial Magistrate, West Champaran in connection with Chanpatia P.S. Case No. 304 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 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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