

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30762 of 2022**

Arising Out of PS. Case No.-556 Year-2012 Thana- NAWADA District- Nawada

SURENDRA SINGH Son of Late Ram Sharan Singh Resident of village -
Fulma, P.S.- Akbarpur, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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

2 09-11-2022 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 Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147,148,149,307,504,387,506,337,427 of IPC and Section 27 of Arms Act.

The informant Sukhdeo Prasad Singh is the Principal of Modern English School, New Area, Nawada. He made allegation that the accused persons named in the FIR including the petitioner along with 15-20 other persons entered into the school. They were equipped with rifle and pistol and were



making pressure upon the Principal to close the school. Co-accused Anil Singh and Ajay Singh demanded Rs. 50, 000/- in lieu of running the school. The accused persons ransacked the articles of the school.

Learned counsel for the petitioner 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 final form in favour of the petitioner and other co-accused persons but the learned court below differing with the finding had taken cognizance against the petitioner and other co-accused persons and several co-accused persons have been granted privilege of anticipatory bail by different Coordinate Benches of this Hon'ble Court vide orders at Annexures-8 and 9 to this bail petition and co-accused, namely, Uday Singh and others have also been granted privilege of anticipatory bail vide order dated 01.11.2022 passed in Cr. Misc. No.26434 of 2022 by this Court and the case of the petitioner is similar footing.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case,



let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 court below where the case is pending in connection with Nawada Town P.S.Case No.556 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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