

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30909 of 2022

Arising Out of PS. Case No.-359 Year-2021 Thana- RANIGANJ District- Araria

RAJA KUMAR S/o Bilash Yadav @ Braj Bihari Singh R/o village- Diwana
Tola, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the of-
fences punishable under Sections 307, 353, 332, 333, 337, 338,
427, 120 (B) of the I.P.C.

According to prosecution case, that on input, the Infor-
mant along with police officials reached at Kharhar Toll Plaza
and was waiting for white colour pick up van bearing Registra-
tion No. JM01AX 4291. After some time, aforesaid vehicle was
coming from Araria and tried to cause to be stopped the vehicle
but it was accelerated and he started to chase by police vehicle
but it was dashed by the pick up van in course of chase know-



ingly as a result of which stepped to down and injured. They were brought for treatment at Raniganj Hospital but they were referred to Sadar hospital Araria.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is neither the owner nor the driver of the vehicle in question and in fact the petitioner is not named in the F.I.R. and the allegation against the petitioner is false and fabricated. He further submits that the injury sustained by the informant and others are simple in nature. The petitioner is in custody since 10.04.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Raniganj P.S. Case No. 359/21, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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