

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.40819 of 2021**

Arising Out of PS. Case No.-388 Year-2020 Thana- NAGAR District- Vaishali

Akash Kumar @ Akash Singh, Son of Sri Lal Deo Singh, Resident of Village
- Minapur Kharidi Tola, P.S. - Hajipur Town, District - Vaishali, State - Bihar.

... .. Petitione

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Ms. Preety Kunwar, Advocate
For the Opposite Party	:	Mr. Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-02-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard Mr. N.K. Agrawal, learned senior counsel for the petitioner and Mohammed Arif, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Hajipur P.S. Case No. 388 of 2020 registered for the offences punishable under Sections 147, 148, 341, 323, 324, 325, 504, 506, 427, 354(A), 379 of the Indian Penal Code. He is in custody since 07.03.2021 having one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, on 15.06.2020 at about 9:00 p.m. the petitioner along with other co-accused had entered



in the house of the informant and started abusing and assaulting the informant, his daughter, his son and wife by means of lathi, danda and iron rod. Co-accused Vikash Kumar @ Prashant Kumar damaged the motorcycle of the informant. Co-accused Basdev Singh took away gold chain from the neck of the informant's wife worth Rs. 60,000/- and co-accused Rajdev Singh took away Rs. 10,000/- from the pocket of the informant. The informant further alleged that on hulla the nearby people assembled there and petitioner and other co-accused fled away.

Learned senior counsel for the petitioner submits that petitioner has been falsely implicated in this case. There is general and omnibus allegation leveled against the petitioner.

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

Having regard to the fact that there are general and omnibus kind of allegations against the ten named accused persons including the petitioner, some of the named accused have been granted privilege of anticipatory bail and Basdev Singh against whom allegation is that he had snatched a golden chain worth Rs. 60,000/- and had taken out Rs. 10,000/- from the pocket of the informant have been granted bail, the petitioner above-named, who has remained in jail in connection



with this case since 07.03.2021, is directed to be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 388 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

