

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31850 of 2022

Arising Out of PS. Case No.-627 Year-2021 Thana- KHAGARIA District- Khagaria

Arvind Kumar Son Of Vishudeo Poddar R/O Village- Hazipur Ward No.-12,
P.S.- And District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in the Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
452, 379, 504, 506 and 34 of the Indian Penal Code.

According to prosecution case, on 07.08.2021 at about
11 p.m. night Informant was sleeping alone her house.
Vishnudeo and Ravindra Kumar entered her house and started
assaulting with slaps, when the informant protest, Ravindra
Kumar half naked her. Arrived later Khushboo and Sangita
snatched her golden chain and bali price Rs. 50,000 and 25,000
respectively. After raising alarm they fled away.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits the on perusal of the FIR it transpired that there is general and omnibus allegations against the petitioner and there is specific allegation against the other accused persons and other accused persons namely Sangeeta Kumari and Khusboo Kumari have been allowed Anticipatory Bail by order dated 17.01.2022 passed in A.B.A. No. 1079 of 2021 by the Court below itself.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory 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 Khagaria P.S. Case No. 627 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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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