

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33186 of 2022

Arising Out of PS. Case No.-189 Year-2020 Thana- SIRDALA District- Nawada

1. Vipin Rajvanshi Son Of Baleshwar Rajvanshi Resident Of Village- Upardih, P.S.- Sirdala, District- Nawada.
2. Kallu Rajvanshi Son Of Baleshwar Rajvanshi Resident Of Village- Upardih, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-09-2022 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 petitioners and learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 149, 341, 323, 302 of the Indian Penal Code.

As per prosecution case, altogether 20 accused persons having armed with deadly weapon assaulted the brother of the informant resultantly he died.

Learned counsel for the petitioners submit that the petitioners, who are of clean antecedents, are innocent and have



not committed any offence. In fact, the petitioners happen to be relatives of Neha Kumari and they have no concern at all with the alleged occurrence. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including these petitioners and there is no specific allegation is attributed to them rather they have falsely been implicated in this case. He further submits that co-accused persons Ramji Rajvanshi and others have been granted anticipatory bail by this Court vide order dated 27.10.2021 in Cr. Misc. No. 131 of 2021 and another co-accused persons namely Ashish Rajvanshi and others have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 29.11.2021 in Cr. Misc. No. 6802 of 2021 and another co-accused namely Baleshwar Rajvanshi has been granted bail by a Coordinate Bench of this Court vide order dated 15.03.2021 in Cr. Misc. No. 36659 of 2020 respectively. He further submits that and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 14.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned



Court below where the case is pending in connection with Sirdala
P.S. Case No. 189 of 2020, with the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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