

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33561 of 2022

Arising Out of PS. Case No.-103 Year-2019 Thana- NTPC District- Patna

Chhotu Alias Rahul Kumar Son of Bacchu Yadav Resident of Village -
Dargahi Tola, Lemuabad, P.s.- Pandarak, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual court
proceeding.

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

Petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 323,
325, 307, 379, 427, 504, 506 of the Indian Penal Code and
Section 27 of the Arms Act.

According to prosecution case, in brief, is that the
informant namely, Karan Singh on 14.12.2019 he was ready to
close his shop in the meantime, Chhotu, Vivek @ Hagga and
five unknown persons arrived there and started assaulting to him
by iron rod saying that I will kill you because you are very bold.



Seeing the situation, his brother and some other person came there for save him then they have started fleeing away and when prosecution party chased them then Vivek and Chhotu resorted firing from their pistols and managed to flee away. In course of assault, they have taken Rs.70,000-80,000/- cash from the shop and also broken the furniture of his shop.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is no specific allegation against the petitioner and there is general and omnibus allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 08.04.2022.

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, 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 N.T.P.C. P.S. Case No. 103 of 2019, 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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