

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39616 of 2022

Arising Out of PS. Case No.-339 Year-2021 Thana- KOILWAR District- Bhojpur

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DHARAMVEER SINGH @ RANA DHARAMVEER SINGH S/o Sampat
Kumar Singh R/o village- Pachaina, P.S.- Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-11-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 307, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner and others are said to have opened fired upon the informant but somehow he managed to save himself and thereafter he has been assaulted by means of Katta and his mobile has been snatched away by the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. He further submits that no specific allegation of firing is



attributed to the petitioner rather it appears from the F.I.R. itself that the allegation of firing is against the another co-accused which hit the leg of the injured, Vijendra Paswan. He further submits that it appears from the F.I.R. itself that neither any assault nor any overt act committed by the petitioner is attributed to him. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State, on the basis of material available in the case diary, has vehemently opposed the prayer for bail of the petitioner but he fairly submits that the accusation of firing is not attributed to the petitioner. He further submits that petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of order 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 learned Court below where the case is pending in connection with Koilwar P.S. Case No. 339 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



as also with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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