

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39596 of 2022

Arising Out of PS. Case No.-179 Year-2022 Thana- BARACHATTI District- Gaya

Bablu Kumar @ Bablu Yadav Son Of Lakhan Yadav R/O Village- Rajoundha,
P.S.- Mohanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Miss Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 147, 149,
341, 342, 323, 307, 379, 427, 506, 120(B) and 353 of Indian
Penal Code.

According to prosecution case, on 28.02.2022, the
prosecution party stated for investigation of Barachatti
(Mohanpur) P.S. Case No. 168 of 2022 and 169 of 2022 at about
9.00 A.M. they reached near P.O. of Village- Rajoundha, the
named accused persons 30-40 unknown persons stopped vehicle
and began to use filthy languages and on objection they started



saying police murdabad and damaged the government vehicle and with intention to kill the prosecution party they began to throw stone as a result of which he received injury on head and one guard was also injured and become unconscious and try to take police arms and began to plan for burning the vehicle and somehow the prosecution party escaped and as a result investigation of aforesaid cases as disturbed.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner, there is no specific allegation of any assault or overt act against the petitioner and the Injury Report of the Informant and police personnel suggests that the injury is simple in nature (Annexure 2).

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 Barachatti (Mohanpur) P.S. Case No. 179 of 2022, 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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