

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40626 of 2022

Arising Out of PS. Case No.-365 Year-2022 Thana- AGAMKUAN District- Patna

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MANOJ GOP @ MANOJ GOPE Son of Rama Gop @ Rama Gope Resident
of Chhoti Pahari, Police Station- Agamkuan, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin,. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-11-2022 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 petitioner and learned Additional Public Prosecutor for the State in the virtual Court proceeding.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 341,323,307,385,34 of IPC and Section 27 of Arms Act.

Allegation against the petitioner is that he restrained from filling up the soil to the field of the informant and his family members.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated



in the present case. Further submits that it appears from the FIR itself that the specific allegation of firing is against co-accused namely Dara Gope. Further submits that there is general and omnibus allegation against the petitioner and there is admitted land dispute between the parties and there is case and counter case.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the 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 Agamkuan P.S. Case No. 365 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 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.

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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