

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41206 of 2022

Arising Out of PS. Case No.-267 Year-2019 Thana- CHAUSA District- Madhepura

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VIVEK SINGH Son of Late Anup Lal Sah Resident of Village - Khoparia
Lawalagan Purvi Ward No. 11. 4, P.S. Chousa, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nadimul Hasan

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-11-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Learned counsel for the petitioner is directed to

make necessary correction in the bail petitioner during course of

the day.

The petitioner seeks bail in connection with

Chousa P.S. Case No. 267 of 2019 registered for the offences

punishable under Sections 341, 323, 384, 504, 506/34 of the

I.P.C.

As per prosecution case, petitioner and others

assaulted the informant and demanded Rs. 50,000/- from the

informant.



Learned counsel for the petitioner submits that petitioner is in custody since 29.04.2022. Petitioner bears one criminal antecedent. Learned counsel further submits that there is no specific allegation against the petitioner. Allegations against the petitioner are general and omnibus in nature. Learned counsel further submits that co-accused Vikki Singh and Umesh Singh has already been granted bail vide Cr. Misc. No. 69260 of 2021 and Cr. Misc. No. 69822 of 2021 respectively by a co-ordinate bench of this Court and the case of present petitioner stands on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, argument advanced on behalf of the parties, co-accused persons have already been granted bail by a co-ordinate bench and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Uda Kishungan District Madhepura in connection with Chousa P.S. Case No. 267 of 2019, subject to following conditions:-



(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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