

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40884 of 2022

Arising Out of PS. Case No.-366 Year-2021 Thana- BARH District- Patna

MUNNA KUMAR S/o Yogendra Yadav R/o village- Gulab Bagh, P.O. and
P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-11-2022 Learned counsel for the petitioner is permitted to
remove the defects, as pointed out by the office, within a
period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual Court
proceeding.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
341,323,379,384,337,308/34 of IPC and 27 of Arms Act.

Allegation against the petitioner is that he stopped
the Pick-up Van forcibly and made a demand of rangdari in a
tune of Rs.500/- which was refused by the informant then co-
accused Vijay Kumar assaulted on the face of the informant



with butt of pistol as a result of which he got injury just below his left eye and started bleeding. Further allegation against the petitioner is that he gave a rod blow which hit on the right side of head of the informant and he got his head broken.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the allegation against the petitioner is totally false and concocted. In fact the informant has lodged the present FIR only to harass the petitioner. Thereafter the informant has filed two petitions before the learned court below stating therein that co-accused persons namely Sandeep Kumar and Sanjeev Kumar are not the accused in the present FIR, due to mistake, they have falsely been implicated in the present FIR. Learned counsel for the petitioner submits that in fact the informant has also falsely implicated the petitioner in the present case and the injury report suggests that the injury is simple in nature.

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 Barh P.S. Case No. 366 of 2021, 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)

Nitesh/-

U		T	
---	--	---	--

