

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42400 of 2022

Arising Out of PS. Case No.-374 Year-2020 Thana- ALOULI District- Khagaria

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Prem Chandra Singh @ Prem Singh Son of Late Dileshwar Singh Resident of
village - Alauli, Ward No.- 16, P.S.- Alauli, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-11-2022 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

APP for the State.

The petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 341, 323,

504, 506, 379, 307/34 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner

entered into the house of the informant and started abusing, and

told that your wife is witch. It is further alleged that the

petitioner assaulted the informant on his head with iron rod

causing head injury and blood started oozing.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that there is direct allegation of assault is against co-accused Subodh Singh and Nishant Kumar. He further submits that no injury was found on the person Saurav Kumar and similarly situated co-accused persons namely Tarun Kumar and Nishant Kumar have been granted anticipatory by a Coordinate Bench of this Court vide order dated 22.03.2022 in Cr. Misc. No. 28858 of 2021 and the case of the petitioner stands on similar footing.

Learned APP for the State has opposed the prayer for 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/- (Rupees 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 Alauli P.S. Case No. 374 of 2020, 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 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 witness, 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 antecedents, 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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