

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41503 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- RAJPUR District- Buxar

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ARVIND PAL @ ARVIND KR. PAL @ ARVIND KUMAR PAL Son of Late
Sardar Pal R/V- Uttampur, P.S.- Rajpur, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dimpal Kumari, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in a case
registered for the offence under Sections 147, 148, 149, 341, 323,
325, 307, 504 and 506 of the Indian Penal Code.

The son of the informant is said to have been assaulted
by the petitioner and his companions who were said to be armed
with firearms and one of them have opened fire resultantly, the
injured, namely, Rajnish, sustained one bullet injury on the above
elbow of left hand.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
this case is filed in retaliation to Rajpur P.S. Case No. 86 of 2022



lodged by the petitioner's side against the informant. He further submits that the date of occurrence is of 18.03.2022 whereas the F.I.R. has been lodged on 14.04.2022 after the delay of 26 days without any explanation. He further submits that there is general and omnibus allegation levelled against the petitioners and no specific allegation is attributed to them rather the specific allegation of firing is attributed to the co-accused, Awadhesh Paswan who alleged to have fired upon the son of the informant. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of 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 Rajpur P.S. Case No. 98 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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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