

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44752 of 2022

Arising Out of PS. Case No.-377 Year-2022 Thana- HILSA District- Nalanda

Shivanand Singh @ Shivanandan Singh Son of Late Ram Kishore Singh
Resident of Village - Rasai Bigha (Akabarpur), P.S.- Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2022 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 353, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner is that the accused petitioner by calling from mobile phone no. 9006736368, created obstacle in government work, misbehaved and abused the informant.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that in fact the petitioner is the husband of the Mukhiya of Akabarpur Panchayat in the District of Nalanda. He further submits that the present F.I.R. was instituted only to harrass the petitioner and no such occurrence has taken place and the allegation as per F.I.R. is false and concocted.

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 Hilsa P.S. Case No. 377 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 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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