

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44763 of 2022

Arising Out of PS. Case No.-124 Year-2021 Thana- KONCH District- Gaya

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Pramod Kumar Son of Kail Yadav Resident of Village - Intwa, P.S.- Konch,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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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 147, 149,

341, 323, 307, 504 of the Indian Penal Code.

Allegation against the petitioner is that he along with

accused persons having armed with lathi, garasa, talwar, brick

came and assaulted the informant, his father, babhi, uncle and his

cousin due to which they sustained injury.

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 there is case and counter case between the parties and it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and no specific allegation of any assault or overt act against the petitioner. He further submits that co-accused Saurav Kumar @ Guddu Kumar has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 18.07.2022 in Cr. Misc. No. 67737 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 Konch P.S. Case No. 124 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 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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