

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49858 of 2022

Arising Out of PS. Case No.-140 Year-2020 Thana- BASANTPUR District- Siwan

MUNNA RAM @ MUNNA KUMAR @ MUNNA KUMAR RAM Son of
Rameshwar Ram Resident of Village - Nagauli, P.S. - Basantpur, District -
Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2022 Learned counsel for the petitioner is permitted to
remove the defects, as pointed out by the office, if any, 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 Section 147, 148,
149, 341, 323, 324, 307, 337, 338, 188, 269, 270, 271, 504, 506 of
the Indian Penal Code and Section 51 (b) of N.D.M.A., 2005 and
later on Section 302/34 of the Indian Penal Code was added.

The accusation in the F.I.R. is that several persons (39
named and 40-45 unnamed) assaulted the informant and his
friend which led to injuries on the informant and death of one
Md. Rafique Alam.



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 it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner and nothing specific attributed against the petitioner. He further submits that similarly situated co-accused person namely Ajit Singh has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 03.12.2020 in Cr. Misc. No. 24009 of 2020, another co-accused person namely Rakesh Tiwary has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 05.05.2022 in Cr. Misc. No. 50841 of 2021 respectively 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 Basantput P.S. Case No. 140 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 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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