

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.64904 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- DAWATH District- Rohtas

Abhijit Kumar @ Paplu Kumar Son of Pradip Rawani @ Pradip Kumar Singh
Resident of Village- Kowath, P.S.- Dawath, Dist- Rohtas (Sasaran).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-05-2022 Heard learned counsel for the petitioner and learned

counsel for the Informant as well as learned Additional Public

Prosecutor for the State.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 341, 323, 354, 147, 148,

149, 307 of the Indian Penal Code and later on added Section

302 of the Indian Penal Code.

According to prosecution case, the seven F.I.R. named

accused persons including the petitioner herein are said to have

jointly assaulted the husband of the informant who sustained

serious injuries and was taken to the hospital in an unconscious

condition.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been 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 and there is no specific allegation against the petitioner. He further submits that the present case is counter blast of Dawath P.S. Case No. 73 of 2021 filed by the father of the petitioner against the family members of the informant. He further submits that there is no eye witness of the alleged occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Pradip Rawani @ Pradip Kumar Singh, Dablu Kumar @ Abhishek Kumar and Bablu Kumar @ Prashanth Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 10.05.2022 passed in Cr. Misc. No. 62706 of 2021, Cr. Misc. No. 62891 of 2021 and Cr. Misc. No. 63595 of 2021. The petitioner is in custody since 30.06.2021.

The learned counsel for the Informant as well as learned A.P.P. have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Dawath P.S. Case No. 76 of 2021, subject to 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 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 witnesses, 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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