

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64803 of 2021

Arising Out of PS. Case No.-55 Year-2020 Thana- RAJEPUR District- East Champaran

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Jitlal Kumar S/o Surjdeo Prasad R/o Village- Tajpur Saraiya, P.S.- Rajepur,
District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No.2, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

For the Informant : Mr. Umesh Chandra Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2022 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, 325, 379, 307, 379
and 504/34 of the Indian Penal Code.

According to prosecution case, the informant
Ramanand Prasad gave a written statement before the S.H.O. of
Rajepur police station alleging therein that the accused
petitioner and other co-accused persons came, abused and
assaulted the informant at the C.S.P. of State Bank of India
operated by him. Accused Sunil Kumar and Jitlal Kumar gave



iron rod blow on the head of the informant as a result of which the informant sustained head injury. When the informant's son came for his rescue then the accused persons also assaulted him by lathi causing fracture in his left hand. Other accused persons entered into the bank and looted Rs.1,40,000/- from the cash box.

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 the allegation of assault is against the co-accused Dipak Kumar. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Jital Kumar has been granted bail by this Court vide order dated 15.04.2022 passed in Cr. Misc. No. 64803 of 2021. The petitioner is in custody since 15.09.2021.

The learned counsel for the Informant and learned Additional Public Prosecutor has 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 Rajepur P.S. Case No. 55 of 2020, 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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