

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65692 of 2021

Arising Out of PS. Case No.-334 Year-2020 Thana- BISFI District- Madhubani

ABHISHEK KAMAT @ BABLOO KAMAT @ ABHISHEK KUMAR Son
of Arun Kamal @ Arun Kumar Resident of Village- Bhojpandaul, P.S.- Bisfi,
District- Madhubani. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar, Adv

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 302, 354, 504 of the Indian Penal Code.

According to the prosecution case, due to village politics and previous enmity between informant's family and the petitioner, scuffle took place.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that it appears from the FIR itself that there is general and omnibus allegation



against all the accused persons. He further submits that the present case is counter blast of Bisfi P.S.Case No.333 of 2020 filed by the family members of the petitioner against the family members of the informant. Learned counsel further submits that the similarly situated co-accused, namely, Suraj Kamat, Saroj Kamat @ Saroj Kumar Kamat and Manoj Chaudhary @ Manoj Kamat have been granted privilege of anticipatory bail vide order dated 04.10.2021 passed in Cr. Misc. No. 53728 of 2021 and co-accused, namely, Ram Kamat and Raju Kamat have been granted bail vide order dated 15.12.2021 passed in Cr. Misc. No. 47839 of 2021 and co-accused, namely, Bacchan Mandal@ Bacchan Kumar @ Bachchan Mandal has also been granted bail vide order dated 20.12.2021 in Cr. Misc. No.48531 of 2021 by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.04.2021.

Learned A.P.P. 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, 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 learned Court below



where the case is pending in connection with Bisfi P. S Case No. 334 of 2020, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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