

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60877 of 2022

Arising Out of PS. Case No.-81 Year-2021 Thana- TEGHRHA District- Begusarai

VISHAL KUMAR S/o Pramod Kumar R/o Village-Station Road in front of
Sinai Mission School, P.S.-Teghra, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
341,323,307,326A,379,504,506/34 of IPC.

The prosecution case, in short, is that the specific
allegation against co-accused Rohit Kumar is that he picked up
a bottle of citric acid from nearby shop and thrown over the
informant. Thereafter co-accused Ratan Das, the father of co-
accused Rohit Kumar, assaulted with a rod on the leg of the
informant.

Learned counsel for the petitioner submits that



petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the FIR is in two parts. In first part, there is no allegation against the petitioner and in second part, there is general and omnibus allegation against the petitioner. Further submits that there is specific allegation against co-accused Rohit Kumar and Ratan Das who is father of Rohit Kumar. Further submits that at best the petitioner is the member of the mob and there is no accusation of any assault or overt-act against the petitioner.

Learned A.P.P. for the State has vehemently 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 (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 Teghra P.S. Case No. 81 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper 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 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)

Nitesh/-

U		T	
---	--	---	--

