

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57382 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- AGIAON BAZAR District- Bhojpur

1. SONU KUMAR S/o Late Satyendra Ram Resident of Village- Agion Bazar, Police Station- Agion Bazar, District- Bhojpur
2. BHIM RAVANI S/o Jai Prakash Rawani Resident of village- Chaprapur, Police Station- Narayanpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 337, 307, 504/34 of the Indian Penal Code.

The prosecution case, in short, is that the main allegation is that the present petitioners assaulted the informant by means of lathi, bricks, stones and punched and after that the informant fell down in unconsciousness and with the help of family members the informant has brought to Primary Health Center for treatment.

Learned counsel for the petitioners submits that the



petitioners have clean antecedent. They have falsely been implicated in the present case. Further submits that it appears from the FIR that the date of occurrence as alleged in the FIR is 06.06.2022 but the present FIR has been instituted on 13.06.2022 after delay of seven days without giving any explanation of delay. Further submits that it appears from the FIR that there is no specific allegation of any assault or overt-act against these petitioners. There is general and omnibus allegation against these petitioners.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Agion Bazar P.S. Case No. 90 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(1) Petitioners 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, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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