

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57370 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- GORAUL District- Vaishali

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BRAJESH KUMAR @ BRAJESH SAH Son of Late Triveni Sah R/V-
Akhtiyarpur Sehan P.S- Goraul (Katahra O.P) Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate
	:	Mr. Rajeev Ranjan No.II, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 332, 333, 353, 188, 337, 338, 427, 504, 506 of IPC.

Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. In fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the re-statement of the informant. Further submits that in fact the petitioner was not present at the place of alleged occurrence and petitioner has no concern



at all with the alleged occurrence and on the basis of the suspicion, the name of the petitioner has falsely been implicated in the present case by the informant.

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

Considering the aforesaid facts, 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 Goraul (Katahra) P.S. Case No. 160 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) 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)

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