

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57702 of 2022

Arising Out of PS. Case No.-52 Year-2021 Thana- PHULWARIA District- Begusarai

1. RAMASHISH SINGH S/o Late Kusho Singh
2. UMESH SINGH S/o Late Kusho Singh
3. SIKENDAR KUMAR @ CHHOTU @ Sikendar Singh S/o Umesh Singh
4. CHANDAN KUMAR S/o Ramashish Singh
All Resident of village- Nipaniya, Ward no. 6, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Fahimuddin, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, 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 147,149,341, 323, 447,379,308,506,504 of the Indian Penal Code.

The prosecution case, in short, is that as per FIR, there is no specific allegation against these petitioners. Further submits that there is allegation against the petitioner Sikendar Kumar @ Chhotu that he alongwith other accused demanded Rs. Two Lakcs as Rangdari Tax at the point of pistol.



Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. Further submits that the present case is counter blast of Phulwaria P.S. Case No.51 of 2021 filed by the family members of the petitioners against the informant and his family members. Further submits that the FIR is in two parts. In 1st part, there is general and omnibus allegation against all the accused persons including the petitioners and in 2nd part, there is specific allegation against co-accused persons namely, Kako Singh and Sonu Kumar. There is no specific allegation of any assault or overt-act 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 Phulwaria P.S. Case No. 52 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) 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)

Nitesh/-

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

