

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58905 of 2022

Arising Out of PS. Case No.-552 Year-2022 Thana- SHERGHATI District- Gaya

SANJAY KUMAR SINGH @ SANJAY KUMAR @ SANJAY SINGH Son
of Late Dular Singh R/o H. No. 5, Ward No. 4, Village- Naya Bazaar, P.S-
Sherghati, Gaya , Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avanish Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual Court
proceeding.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
147,148,149,337,338,323,307,153(A), 295(A),353 and 427 of
IPC.

The prosecution case, in short, is that on 01.07.2022
the informant narrated that on the occasion of Shri Ram Janki
Jagarnath Rath Yatra he was deputed as the Magistrate with
police force for maintaining law and order conditions, the
procession was peaceful but when it reached near the Kali
Temple the accused petitioner and a few others joined the



procession with conventional weapon and began using brutish criminal force against the passersby and passing vehicles, they also damaged some vehicles, due to this a situation of panic was created, the Muslim shop keepers took to down shutters of their shops and on their legs under feelings of fear and anxiety and he has lodged the case after the identification and verification of the accused persons in CCTV footage with some delay.

Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that in fact the petitioner has been working as a private Karamchari at the office of the Circle Officer, Sherghati since 1992 and the informant is a Circle Officer of Sherghati and he has falsely been implicated in the present case on the basis that the petitioner has not fulfilled the demand of the informant and it appears from the FIR that there is no specific allegation 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 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 Sherghati P.S. Case No. 552 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 have 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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