

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60098 of 2022

Arising Out of PS. Case No.-192 Year-2022 Thana- TEGHRHA District- Begusarai

Kundan Kumar S/o Murari Singh R/v- Ayodhya, Ward No.- 10, P.S.- Teghra,
District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 Learned counsel for the petitioner is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with accused persons armed with arms came at the house of the informant and told him as to why he was creating hindrance in carrying sand by Tractor and threatened him to kill. It is further alleged that accused Amit Kumar and Manish Kumar started



indiscriminately firing due to which the informant became injured on his left hand.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is specific allegation of firing attributed against co-accused persons namely Amit Kumar and Manish Kumar and there is general and omnibus allegation against the petitioner and no specific allegation of any assault or overt act against him. He further submits that the seizure list is not available on record and it transpires that the present case is false and fabricated.

Learned APP for the State has 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/- (Rupees 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. 192 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedent, 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)

Ibrar//-

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

