

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14506 of 2023

Arising Out of PS. Case No.-476 Year-2022 Thana- NAGAR District- Vaishali

PRAMOD SINGH S/o Ramchandra Singh R/o Village- Hathsarganj, P.S.-
Hajipur Town, Distt- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms.Rina Sinha, Advocate
For the State	:	Ms.Pushpa Sinha, APP
For the Informant	:	Mr.Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Hajipur Town P.S. Case No. 476/2022 registered for the offences punishable under Sections 302/34 of the Indian Penal Code. He has two criminal antecedents as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that his son was married with Mala Kumari and after marriage he came to know that she has illicit relation with another boy. After knowing this, the son of the informant told his wife that he wanted to lead conjugal life with her but she did not change. The informant has further alleged that brother of the said Mala Kumari and his friends brutally assaulted the son of



the informant. It is further alleged that the informant came to know that his son was killed by the accused persons and fled away.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner has neither any relation with in-laws family of the deceased nor he has any concern with the alleged crime.

Learned counsel for the informant as well as learned A.P.P. for the State have opposed the prayer for anticipatory bail of the petitioner, however they do not dispute that the case of this petitioner, who is a co-villager, would at best stand on similar footing with the two co-accused who have been granted privilege of anticipatory bail.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the co-villager against whom there is no specific allegation, the mother-in-law and brother-in-law of the deceased have been granted privilege of pre-arrest bail by a learned coordinate Bench of this Court in Cr. Misc. No. 65579/2022, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing



of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 476/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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