

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28392 of 2023

Arising Out of PS. Case No.-363 Year-2020 Thana- NARPATGANJ District- Araria

Kapil Rishideo @ Kapil Kumar Rishideo @ Kapil Rishidev Son of Nityanand
Rishidev Resident of village - Deviganj, P.S. - Narpatganj, Distt. - Araria.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Narpatganj P.S. Case No. 363 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 448, 379, 302, 34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that on 14.08.2020 after boarding a three wheeler when he reached with his family near the shop of one Ratti Lal, all the accused persons including the petitioner came and brutally assaulted him and his family members causing serious injury thereafter all the victims were brought to Narpatganj Hospital where the father of the informant succumbed to the injuries.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that there are general and omnibus allegations. Seventeen persons have been named in the F.I.R. and the co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Benches of this Court.

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

6. Having regard to the facts and circumstances of the case wherein 17 persons have been named in the First Information Report, police has submitted charge-sheet on earlier occasion but the investigation against the petitioner has been kept pending, the allegations are general and omnibus and the co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Benches of this Court in Cr. Misc. No. 53758/2021 and Cr. Misc. No. 46533/2022, petitioner has otherwise no criminal antecedent, 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, Araria,



in connection with Narpatganj P.S. Case No. 363 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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)

Rajeev/-

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

