

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30326 of 2022

Arising Out of PS. Case No.-572 Year-2020 Thana- KANTI District- Muzaffarpur

VICKY RAM Son of Suresh Ram Resident of Village-Gangapur, Police Station-Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-01-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in virtual court proceeding.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 307/34 of the Indian Penal Code.

According to prosecution case, in brief, is that on 20.08.2020 when the son of the informant namely Vikash was returning his home after supplying of milk from the Village- Chakbarkurba and in the meantime near Cambridge School, some unknown persons attacked over himself by sharp edged weapons.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner was not named in the F.I.R. and there is no eye witness of the alleged occurrence. He further submits that the victim was not named the petitioner before filing the present F.I.R. and the victim afterthought has falsely implicated the name of the petitioner in the present case. He further submits that except the statement of the victim no cogent material has come during investigation against the petitioner. He further submits that the petitioner is in custody since 22.01.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Kanti (Panapur) P.S. Case No. 572 of 2020, subject to the 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 witnesses, 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)

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