

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34374 of 2022

Arising Out of PS. Case No.-767 Year-2019 Thana- SASARAM NAGAR District- Rohtas

Sravan Kumar Son of Suresh Singh Resident of Village - Lakhnusarai, P.s.-
Sasaram Town, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Ms. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-01-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 354(B), 302, 506
and 34 of the Indian Penal Code, Section 27 of the Arms Act
and Section 8 of the POCSO Act.

According to prosecution case, the accused person,
namely, Mintu Kumar used to entice the daughter of the
informant and shot fire upon her due to which she sustained
injuries.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is specific allegation against the co-accused person, namely, Mintu Kumar who fired upon the daughter of the informant. He further submits that Mintu Kumar has been convicted under Section 302 of the Indian Penal Code. He further submits that the allegation against the petitioner that he fired upon the daughter of the informant is totally false and he has not assaulted the daughter of the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.02.2022.

The learned counsel for the informant and learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

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 Sasaram Town P.S. Case No. 767 of 2019, 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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