

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36722 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- NAYAGAON District- Begusarai

RAJIB SINGH @ RAJIV SINGH S/O LATE RAM BALAK SINGH R/O
Hanspur, PS. Nayagaown, Dist. Begusarai. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.04.2023 in connection with Nayagaown P.S. Case No. 89
of 2022, F.I.R. dated 01.12.2022 registered for the offence
punishable under Sections 302,504,506/34 of IPC.

3. Allegation against the petitioner is that he
alongwith other co-accused persons assaulted the brother of
the informant and due to assault he died.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case due to admitted dispute between the parties and
both the parties are agnates. Further submits that from bare
perusal of the FIR it appears that there is no allegation of any
assault or overt-act attributed against the petitioner rather



there is general and omnibus allegation against all the accused persons including the petitioner and from bare perusal of the FIR it appears that the information has been received by the police in the police station at about 08.05 AM but the present occurrence had taken place at about 8.30 AM it appears from the FIR itself and the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence and the police, after investigation, submitted charge sheet against the petitioner and the petitioner is in custody since 03.04.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that there is sufficient material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and apart from that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 learned Judicial Magistrate,



1st Class, Begusarai in connection with Nayagaown P.S. Case No. 89 of 2022, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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