

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45909 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- MAIN P.S. District- Gaya

Ramanuj Kumar @ Bhola Son Of Ram Pravesh Bind Resident Of Village-
Suraundha, Ps- Main (OP), Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-10-2023 Heard Mr. Manish Kumar No. 2, learned counsel for
the petitioner and Mr. Uma Shankar Prasad Singh, learned APP
for the State.

2. The petitioner is apprehending his arrest connection with Main Police Station Case No. 31 of 2023, F.I.R. dated 21.04.2023 registered for the offences punishable under Sections 354, 34 of the Indian Penal Code and Section 25(9) of the Arms Act..

3. As per prosecution case, in brief, is that on 20.04.2023 at about 12:20 P.M. after watching the viral video the police party reached village Suraundha and after inquiry the police party got knowledge that the accused petitioner was doing harsh firing in the birthday party.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the police has received one viral video which suggests that in the video the petitioner has holding a gun in the dancing party. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not holding a gun as alleged in the F.I.R. and the prosecution has not stated the name of the person who are holding the gun in the present occurrence and the prosecution had not scientifically examined the viral video and even the prosecution has not examined the prosecution witness in support of the prosecution version and it appears from the case diary that all the witnesses are police personnel.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Main Police Station Case No. 31 of 2023,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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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