

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50578 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- BARBIGHA District- Sheikhpura

GOPAL SINGH SON OF SURENDRA SINGH RESIDENT OF VILLAGE -
TEUS, P.S. - JAIRAMPUR, DISTRICT - SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 17.05.2023 seeks
bail, in connection with Barbigha P.S. Case No.100/2023, dated
25.02.2023, for the offences punishable under Sections 147,
149, 341, 323, 353, 384 and 504 of the IPC.

3. According to prosecution case, the accused persons
named in the F.I.R. along with other 20 persons reached in the
office of the informant and forcefully uninstalled the CCTV
camera and also misbehaved with the employees of Barbigha
Nagar Parishad and obstacle them in discharging their duty.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that the allegation as alleged in the F.I.R. is false



and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the allegation against the petitioner in the F.I.R. is that the petitioner and other co-accused persons have forcefully removed CCTV camera and obstacle them in discharging their duty and there is no allegation of any assault or overt attributed against the petitioner. The petitioner is in custody since 17.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried six criminal antecedent other than the present one.

6. 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 C.J.M., Sheikhpura in connection with Barbigha P.S. Case No.100/2023, 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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