

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50055 of 2023

Arising Out of PS. Case No.-855 Year-2022 Thana- NAGAR District- Vaishali

NEERAJ KUMAR SINGH Son of Ashok Singh Resident of village -
Bagoian, P.S. - Dautpur, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-10-2023 Heard Mr. Shankar Kumar, learned counsel for the
petitioner and Mr. Upendra Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Hajipur Town P.S. Case No. 855 of 2022, F.I.R. dated 14.11.2022 registered for the offences punishable under Section 302 of the Indian Penal Code.

3. Allegation against the petitioner is that he pushed the deceased from the running train due to which he died.

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 informant is not an eye witness of the alleged occurrence and merely on the basis of suspicion, the petitioner has been implicated in the present false and fabricated case. He further



submits that no other cogent material has come during investigation to suggest the involvement of the petitioner in the present case except the suspicion.

5. Learned APP for the State, on the other hand, on the basis of material available on record as well as case diary opposed the prayer for anticipatory bail of the petitioner but fairly submits that nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence except the suspicion.

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 Chief Judicial Magistrate, Vaishali (Hajipur) in connection with Hajipur Town P.S. Case No. 855 of 2022, 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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