

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53032 of 2023

Arising Out of PS. Case No.-190 Year-2023 Thana- NARHATT District- Nawada

CHHOTE SINGH @ PRAVEEN KUMAR @ CHHOTE S/O NAWAL
SINGH @ NAWAL KISHORE PRASAD SINGH R/O VILLAGE-
KHANWAN, PS. NARHAT, DISTT. NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Adv.

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 23-08-2023 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 28.05.2023 seeks bail, in connection with Narhat P.S. Case No.190/2023, dated 02.05.2023, for the offences punishable under Sections 302/34 of the Indian Penal Code.
3. According to prosecution case, the petitioner along with other co-accused persons assaulted the husband of the informant with lathi, danda, rod, danda etc due to which the husband of the informant died.
4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that from perusal of the F.I.R. it appears that there is no specific 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 that they have assaulted the husband of the informant and the postmortem report also suggests that the deceased has received only one



injury. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 28.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and there is direct and specific allegation against the petitioner that he along with other co-accused persons have assaulted the husband of the informant and husband of the informant succumbed to the injury and apart from that the petitioner has also carried two criminal antecedent other than the present one but fairly submits that as per para-3 of the bail petition, the petitioner is on bail in both the cases.

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 Sri Anubhav Ranjan, J.M.1st Class, Nawada in connection with Narhat P.S. Case No. 190/2023, 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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