

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59104 of 2022**

Arising Out of PS. Case No.-117 Year-2021 Thana- ARA MUFFSIL District- Bhojpur

PRAMOD KUMAR S/O RAVINANDAN SINGH R/O VILLAGE-  
SALEMPUR, P.S.- CHANDI, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs.Usha Kumari 1, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      06-02-2023                      Heard Mrs. Usha Kumari No.1, learned counsel for  
the petitioner and Mr. Jitendra Kumar Singh, learned APP for  
the State.

The petitioner apprehends his arrest in connection  
with Ara Muffasil P.S. Case No. 117 of 2021 instituted under  
Sections 302/34 of the Indian Penal Code and section 27 of the  
Arms Act.

As per the prosecution story, the allegation is that the  
accused persons firstly abused the informant's son and thereafter  
on the instigation of this petitioner, Rajni Kant opened fire  
causing injury and resulting into death.

Learned counsel for the petitioner submits that he  
absolutely had no role to play in the matter and is a poor farmer  
tilling his land and unnecessary dragged in this case.



Further submission is that he is ready to abide by all the terms and conditions.

Learned APP on the other hand opposes the prayer of bail.

Taking into account the fact that the main role has been assigned to Rajni Kant who opened fire causing to death of the informant's son, the petitioner will be cooperating in the investigation and will ultimately face the trial, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Ara Muffasil P.S. Case No. 117 of 2021 to the satisfaction of learned A.D.J. IV, Ara, subject to the conditions as laid down under Section 438(2) of the Cr.P.C and with further conditions :

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Ajay Singh/-

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