

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55961 of 2022

Arising Out of PS. Case No.-330 Year-2021 Thana- FATUA District- Patna

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ANOJ KUMAR @ ANUJ KUMAR Son of Sri Sudhir Prasad Resident of
Village - Niyazipur, P.S.- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv.
		Mr. Deepak Kumar, Adv.
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP
For the Informant	:	Mr. Navnit Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 441, 307, 325, 326,
504, 506 and 120(B) of the Indian Penal Code.

According to prosecution case, the petitioner along
with other co-accused persons have damaged the left eye of the
son of the informant namely, Vikash Kumar by means of iron
rod.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from the F.I.R. that there is general and omnibus allegation



against all the accused persons including the petitioner. He further submits that there is no specific allegation of any assault or overt act against the petitioner and the similarly situated, co-accused, namely, Guriya Kumari has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.04.2022 passed in Cr. Misc. No. 47445/2021 and other co-accused namely, Manoj Kumar has been granted bail vide order dated 24.08.2022 passed in Cr. Misc. No. 13920/2022. The petitioner is in custody since 30.05.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Fatuha P.S. Case No.330 of 2021, 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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