

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57503 of 2022

Arising Out of PS. Case No.-145 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Bhola Kumar S/o Dilip Singh R/V- Kaithama, Bakhadda, P.S.- Muffasil,
Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 364 and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per prosecution case, petitioner and other co-
accused persons forcibly abducted and dragging the informant
into four wheeler in which seven persons were seated armed
with pistols, lathi and rods who started firing upon the
prosecution party.

Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
that F.I.R. are in two parts. In first part, there is allegation against



the petitioner that he abused and threatened to kill the informant and in the second part in the F.I.R., the allegation against the petitioner is that he and other co-accused persons abducted the informant and fired upon the informant. Learned counsel for the petitioner further submits that the allegation against the petitioner in the second part is general and omnibus and the similar allegation was against co-accused Bittu Kumar that he also accompanied with the petitioner has been granted bail by a Coordinate Bench of this Court vide order dated 31.01.2023 in Cr. Misc. No. 41571 of 2022 and another co-accused Manshu Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 31.01.2023 in Cr. Misc. No. 43910 of 2022 respectively. Further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 26.07.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one in which he is on bail.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Court below where the case is pending in connection with Muffasil P.S. Case No. 145 of 2022, with 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 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

