

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60727 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- PALIGANJ District- Patna

RAJA KUMAR @ MANJAY KUMAR S/o Vijay Ram @ Vijay Kumar @
Vijay Prasad R/o Village- Lalganj Sehra, P.S.- Paliganj, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 341,323,307,427,504/34 of IPC and
Section 27 of the Arms Act.

The prosecution case in short is that the allegation
against the co-accused Shri Kant Kumar @ Mohan Yadav is of
assaulting the informant's father by lathi.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Further submits that it appears from the FIR that there is
no specific allegation of assault or overt-act against the
petitioner and the specific allegation of assault or overt-act
against the co-accused Shri Kant Kumar @ Mohan Yadav and



Nishant Kumar and co-accused Shri Kant Kumar @ Mohan Yadav has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 16.12.2022 passed in Cr. Misc. No. 51149 of 2022 and another co-accused namely, Bela Kumar @ Abhishek Kumar has also been granted bail by this Court vide order dated 07.02.2023 passed in Cr. Misc. No.58759 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.06.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner. Further submits that the petitioner carries three more cases other than the present one.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Paliganj P.S.Case No.115 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/her absence on two consecutive dates without sufficient reason, his/her 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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