

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62265 of 2022

Arising Out of PS. Case No.-601 Year-2015 Thana- LAKHISARAI District- Lakhisarai

ANIL RAM Son of Bino Ram R/O Village - Nawabganj, P.S.- Surajgarha,
District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since 21.08.2022, in connection with Lakhisarai P.S. Case No.601 of 2015, F.I.R. dated 02.09.2015, for the offences punishable under Sections 147, 149, 353 and 332 of the Indian Penal Code.

According to prosecution case, while the victim girl was taking for recording her statement under Section 164 of the Cr.P.C. to the court of the Chief Judicial Magistrate, the relative of the victim girl along with hundred other co-accused persons created nuisance and demanded to return the victim girl and when the police suggested them that they will hand over the victim girl only after completing of the proceeding. Thereafter the accused persons started scuffle with the police and also pelted stones upon the police party.



Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case only on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R. The name of the petitioner has been transpired during investigation. He further submits that petitioner and altogether other hundred persons have been made accused in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner. There is no specific allegation of any assault or overt act against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 21.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two criminal antecedent but fairly submits that the petitioner is on bail in both the cases.

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 Judicial Magistrate 1st Class, Lakhisarai, in connection with Lakhisarai P.S. Case No. 601/2015, 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)

amit/-

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

