

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70982 of 2023**

Arising Out of PS. Case No.-57 Year-2023 Thana- SALIMPUR District- Patna

Ravi Kumar @ Phuto Kumar @ Ravi Ranjan Kumar @ Phulo Kumar Son of  
Raju Yadav @ Ranju Singh R/o vill - Bihta, P.S. - Salimpur, distt. - Patna  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-11-2023                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Salimpur P.S. Case No.57 of 2023 , F.I.R. dated 13.03.2023 registered for the offence punishable under Sections 147, 148, 149, 323, 325, 307, 506 of the IPC and 27 Arms Act.

3. The prosecution case, in short, is that informant daughter's was going to school to be picked up by the vehicle of Dev International School. So on the way, all accused persons surrounded Vikash Kumar, the driver of vehicle no BR01G0936, carrying sticks and pistols in their hands and started beating him and broke the glass of the vehicle. Informant's daughter who was sitting in the vehicle was beaten and her leg was broken and when we saw this incident and ran to save her, Ravi Kumar started shooting with the intention of killing her, due to which



the villagers and other people stated running away out of fear to save their lives, in which my daughter and driver Vikash Kumar were lying unconscious, when the villagers got angry and they ran away and ran away threatening them. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Further submits that from perusal of the FIR, it appears that there is no accusation of any assault or overt act is attributed against the petitioner, rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that petitioner and informant are agnates and due to to previous dispute petitioner has been falsely implicated in this case.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of



receipt of the order, be released on anticipatory 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 Judicial Magistrate, Ist Class, Barh, Patna in connection with Salimpur P.S. Case No.57 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) 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 bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) 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 anticipatory 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)**

Prakash Narayan

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