

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67685 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- BELDOUR District- Khagaria

Jannti @Jannat Khatoon @ Jannti Khatoon W/o Shah Alam R/o Village-
Sukhaibasa, P.S.- Beldaur, Distt- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
01.09.2022 in connection with Beldaur P.S. Case No. 178 of
2022, F.I.R. dated 25.08.2022 for the offences punishable under
Sections 341, 323, 324, 333, 332, 353, 34 of the Indian Penal
Code.

According to prosecution case, as per written report of
the informant namely, Sudha Kumar alleging therein that on
25.08.2022 the informant along with other police personnel had
gone to the house of Md. Bounty accused of Mahila P.S. Case
No. 23 of 2021 for the purpose of attachment altogether 25
F.I.R. named accused persons and 150 unknown persons while
forming unlawful assembly and being armed with Lathi-Danda
disrupted the process of attachment and accused persons also



assaulted the police personnel.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of re-statement of the informant. He further submits that the allegation as alleged in the F.I.R. is that the petitioner along with co-accused persons and 150 unknown persons while forming unlawful assembly and being armed with Lathi-Danda disrupted the process of attachment. He further submits that the petitioner was not present at the time of attachment and the name of the petitioner has surfaced only on the basis of suspicion. He further submits that except the suspicion no other cogent material has come during investigation against the petitioner and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 01.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one.

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, Khagaria in connection with Beldaur P.S. Case No. 178 of 2022, G.R. No. 2387 of 2022, 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)

mdrashid/-

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

