

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68785 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- MAHNAR District- Vaishali

Bittu Kumar @ Mayank Shekhar Son of Shri Ajay Kumar Rai @ Pintu Rai
R/O Vill.- Lawapur, P.S.- Mahnar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suresh Kumar, Advocate
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP
For the Informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379/34 of the Indian Penal Code.

According to prosecution case, the petitioner along with other co-accused persons assaulted the informant on his head by farsa blow and his brother by means of sword blow. The accused persons were armed with weapons and in course of altercation they have looted Rs. One Lakh and thirty thousand and fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that it appears from the F.I.R. that there is no allegation of assault against the petitioner rather there is general and omnibus allegation against the petitioner. He further submits that similarly situated, co-accused, namely, Arbind Rai and others have been granted bail by a co-ordinate Bench of this Court vide order dated 18.01.2023 passed in Cr. Misc. No. 58361 of 2022. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 08.06.2022.

The learned Additional Public Prosecutor for the State and learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

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 Court below where the case is pending in connection with Manhar P.S. Case No. 119 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)

Alok Verma/
aditya-

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

