

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72091 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- KHAGAUL District- Patna

RAJU KUMAR Son of Paramhans Singh @ Parmahesh Singh Resident of
village - Hathi Tola, P.S.- Maner, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Prasad Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
17.06.2022 in connection with Maner P.S. Case No. 168 of
2022, F.I.R. dated 17.06.2022 for the offences punishable under
Sections 147, 148, 149, 341, 323, 332, 333, 353, 427, 307,
120(B), 337, 338, 506 of the Indian Penal Code.

According to prosecution case, the petitioner
alongwith other co-accused persons by forming a mob has
allegedly set fire in the train and damaged the fire brigade
vehicle.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case only on the basis of suspicion. He



further submits that in fact the petitioner is named in the F.I.R. but the petitioner has not committed any wrong as alleged in the F.I.R. He further submits that similarly situated, co-accused, namely, Friz Ray @ Vishal Kumar @ Friz Rai has been granted bail by this Court vide order dated 04.03.2023 passed in Cr. Misc. No. 2539 of 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 17.06.2022.

The learned Additional Public Prosecutor for the State 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 Additional Chief Judicial Magistrate-5, Danapur in connection with Khagaul P.S. Case No. 168 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)

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