

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75620 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- JAKKANPUR District- Patna

Rikki Kumar S/O- Manoj Rai R/O- Mohalla- Batukeshwar Dutt Lane Road,
Jakkanpur, P.S.- Jakkanpur, Dist.- Patna- 800001

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr.Rajesh Shankar Sinha, learned counsel
for the petitioner and Mr.Upendra Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jakkanpur P.S.Case No.345 of 2022,FIR dated 11.07.2022 registered for the offences punishable under Sections 323,341,504,506,379/34 of the IPC.

3. Allegation against the petitioner is that he alongwith other co-accused persons abused and pushed the husband of the informant due to which he received injuries on various parts of the body.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and the present case is counter blast of Jakkanpur P.S.Case No.344 of



2022 filed by the mother of the petitioner against the informant and another family member of the informant. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner in the FIR and apart from the aforesaid the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the pending cases, as mentioned in para-3 of the anticipatory bail petition.

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 bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VIII, Patna in connection with Jakkanpur P.S.Case No.345 of 2022, 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(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/her 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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