

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75371 of 2022

Arising Out of PS. Case No.-221 Year-2022 Thana- KHAJAULI District- Madhubani

1. Nagendra Kumar Singh Son Of Bindeshwar Singh R/O Village- Maniarwa, P.S.- Khajauli, District- Madhubani
2. Bikram Kumar Son Of Vaidyanath Sah R/O Village- Sukki Dih Toll, Post-Sukki, P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail, who are in custody since 12.11.2022, in connection with Khajauli P.S. Case No. 221 of 2022, F.I.R. dated 14.11.2022 registered for the offences punishable under Sections 147, 341, 323, 353, 354, 332, 427, 379, 504, 506 and 149 of the Indian Penal Code.

Allegation against the petitioners is that they tried to snatch mobile phone from the hand of the informant who was a woman and she was on official duty and also tried to scuffle with her and also got her injured.

Learned counsel for the petitioners submits that the



petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act against these petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 12.11.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhubani in connection with Khajauli P.S. Case No. 221 of 2022, subject to the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the



Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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