

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9668 of 2024

Arising Out of PS. Case No.-14 Year-2022 Thana- PARASBIGHA District- Jehanabad

Vikash Kumar @ Vikash Ram Son Of Rajkumar Ram Resident Of Village-
Pandit Bigha, Ps- Parabigha, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 As prayed, learned counsel for the petitioner is permitted to make correction in paragraph no. 1 of the bail petition.

2. Heard Mr. Anuj Kumar, learned counsel for the petitioner and Mr. Umesh Lal Verma, learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Parasbigha P.S. Case No. 14 of 2022, F.I.R. dated 21.01.2022 for the offences punishable under Sections 346, 323, 325, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, due to previous disputes, all the accused persons including the petitioner have assaulted the informant. It is further alleged that the petitioner



has inflicted iron rod upon the informant resulting into injuries.

4. 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 allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the allegation against the petitioner is that he has inflicted iron rod upon the informant causing hand injury but the injury report of the informant suggests that the all the injuries are simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in two cases out of three.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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 the learned



Chief Judicial Magistrate, Jehanabad in connection with Parasbigha P.S. Case No. 14 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 absence on two consecutive dates without sufficient reason, his 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 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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