

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12736 of 2024

Arising Out of PS. Case No.-195 Year-2017 Thana- BARH District- Patna

Vishnu Kumar S/o Satish Mistry R/o vill - Berhna Shanti Tola, P.s. - Barh,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr. Manoj Kumar Pandey, learned counsel
for the petitioner and Mr. Harendra Prasad, learned APP for the
State.

2. The petitioner is apprehending his arrest connection with Barh P.S. Case No. 195 of 2017, F.I.R. dated 09.07.2017 registered for the offences punishable under Sections 341, 323, 324, 307, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that accused persons forcibly tried to enter into the school and when the informant raised protest then they assaulted him by means of lathi, danda and sharp cutting weapon as a result of which he sustained injury and fell down and thereafter the school student informed to the Principal of the said school then all the accused persons fled away.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the petitioner has no knowledge about the present case and in the year 2023 he came to know about the present case and from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and in fact the petitioner is a disabled person and he is 77% disabled and he has been falsely implicated in the present case due to village politics.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Barh, District- Patna in connection with Barh P.S. Case No. 195 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other 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 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 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)

Ibrar//-

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

