

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12467 of 2024

Arising Out of PS. Case No.-545 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

Pranav Kumar @ Pranav Singh Son of Sanjay Kumar @ Sanjay Kumar Singh
Village- Horil Chhapra, P.S.- Govindganj, District- East Champaran at
Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr. Karandeep Kumar, learned counsel for
the petitioner and Mr. Jai Narain Thakur, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Town P.S. Case No. 545 of 2022, F.I.R. dated
06.08.2022 for the offences punishable under Sections 302 and
34 of the Indian Penal Code.

3. According to prosecution case, petitioner along
with other co-accused is said to have assaulted the brother of the
informant with knife and stabbed him due to which he sustained
injuries. During the course of treatment, he died.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent he has falsely been implicated in



the present case. He 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 general and omnibus allegation against all the accused persons including the petitioner. He further submits that co-accused person, namely, Rishu Kumar Singh @ Muskan Singh has been granted anticipatory bail vide order dated 14.07.2023 passed in Cr. Misc. No. 29782 of 2023.

5. The learned Additional Public Prosecutor, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and there is direct and specific allegation against the petitioner that he along with other co-accused person has committed the murder of the brother of the informant.

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, Motihari, East Champaran in connection with Town P.S. Case No. 545 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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