

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14738 of 2024

Arising Out of PS. Case No.-881 Year-2023 Thana- PIRBAHOR District- Patna

Nishant Kumar @ Abhishek Raj @ Abhilash Raj S/O Kumar Rana R/O
Village- Ranipur, P.O- Tajbigha, P.S- Kako, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the State : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr. Arvind Kumar Pradhan, learned counsel
for the petitioner and Mr. Ram Bilash Roy Raman, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Pirbahore P.S. Case No. 881 of 2023, F.I.R. dated 04.12.2023 for the offences punishable under Sections 147, 148, 149, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3/ 4/ 5 of the Explosive Substance Act.

3. According to prosecution case, petitioner along with other is said to have made assault on Nadwi Hostel and Iqbal Hostel by bombs and also made indiscriminate firing.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and 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 indiscriminate firing attributed against the petitioner rather general and omnibus allegation against all the accused persons including the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of assault or indiscriminate firing attributed against the petitioner rather general and omnibus allegation against the petitioner, 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, Patna in connection with Pirbahore P.S. Case No. 881 of 2023, 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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