

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19098 of 2024

Arising Out of PS. Case No.-476 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Amit Kumar Son Of Gulo Mandal Resident Of Village- Naya Tola, Shahpur,
Ps- Nathnagar, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2024 Heard Mr. Swapnil Kumar Singh, learned counsel
for the petitioner and Ms. Asha Devi, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nathnagar P.S. Case No. 476 of 2023, F.I.R. dated 11.06.2023 for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have assaulted the informant by means of iron rod due to which he sustained injury in head. It is further alleged that these accused persons have also assaulted other persons who came to rescue the informant.

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



implicated in the present case due to petty disputes between the parties. He further submits that there is no allegation of any assault or overt act attributed against the petitioner rather there is 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 and circumstances that the petitioner has clean antecedent and there is no allegation of any assault or overt act 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, Bhagalpur in connection with Nathnagar P.S. Case No. 476 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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