

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17855 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- CHANDI District- Bhojpur

=====

Ravish Kumar @ Abhishek Kumar Son Of Kisun Deb Singh @ Bhawdhi Singh @ Bhawdi Singh Resident Of Village- Saripur, Ps- Sandesh, Dist- Bhojpur At Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr.Shashank Shekhar, learned counsel for the

petitioner and Mr.Dinesh Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chandi P.S.Case No.307 of 2023,FIR dated 22.11.2023 registered for the offences punishable under Sections 147,341,342,323,332,333,307,427 and 353 of IPC.

3. Allegation against the petitioner is that he alongwith other accused persons surrounded the police, using filthy language to them and started pelting bricks and stones. The pelted bricks and stones by them completely damaged the vehicle of the police and causing serious injury to the driver of the vehicle.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR, the petitioner and other co-accused persons have started pelting bricks and stones upon the police party. Learned counsel for the petitioner 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 there is general and omnibus allegation against all the accused persons including the petitioner and the petitioner has been made accused in the present case because he has got three criminal antecedents.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries three more cases other than the present one but he fairly submits that out of three cases, the petitioner is on bail in one case and rest two cases are pending for consideration, as mentioned in para-3 of the anticipatory bail petition.

6. Considering the aforesaid facts and there is no specific allegation of any assault or overt-act attributed against



the petitioner, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Chandi P.S.Case No.307 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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)

Nitesh/-

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

