

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21258 of 2024

Arising Out of PS. Case No.-47 Year-2012 Thana- TARIYANI CHOWK District- Sheohar

Raushan Kumar S/o Hari Mohan Singh @ Hari Singh R/o Village -
Bajnathpur, P.S. - Tariyani, Distt. - Sheohar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Tariyani P.S. case No. 47 of 2012, Sessions Trial No. 153 of 2016 instituted for the offences under Sections 147, 148, 149, 341, 342, 323, 325, 307, 353, 427, 504 and 506 of the Indian Penal Code.

3. Prosecution allegation, in short, is that when the school authorities came for inspection of the school, the accused persons created ruckus and also thrown stone and bricks on the authorities and created obstructions in official duties.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case.



The present case is misuse of privilege of bail earlier granted to the petitioner. Earlier the petitioner was granted bail on 14.05.2013 by the learned Court below. The petitioner left his attendance before the trial Court from 04.07.2019 to 12.12.2023 and on 12.12.2023, the bail bonds of the petitioner got cancelled on 12.12.2023. The petitioner has surrendered in the Court below 19.02.2024. The petitioner has one criminal antecedent. Learned counsel for the petitioner submits that the petitioner lives in a remote area and he entrusted his advocate's clerk for pairvi in the said case but due to communication gap, the attendance could not be made and his bail bonds were cancelled by the Court below. The petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the undertaking given by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Tariyani P.S. case No. 47 of 2012, Sessions Trial No. 153 of 2016 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) The petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

Pankaj/-

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

