

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25619 of 2024

Arising Out of PS. Case No.-677 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Rajesh Kumar Son of Late Ram Nath Mahato Resident of Dadhada, P.O. and
P.S.- Birpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2024 Heard Mr.Rajesh Kumar, learned counsel for the

petitioner, Mr. Shubhesh Pandey, learned counsel for the

informant and Mr.Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Town (Lohiyanagar)P.S.Case No.677 of 2023,
G.R.No.4000/23, FIR dated 21.10.2023 registered for the
offences punishable under Sections 307,34 the Indian Penal
Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he
alongwith two unknown persons gave a fire shot which hit the
chest of his wife.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He 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 and on the date of occurrence the petitioner was on deputation at Patna and before that the daughter of the informant who happens to be the wife of the petitioner, she has filed a Maintenance Case No.133 of 2021 before the competent court of law and due to this reason the present false case has been filed against the petitioner and in the aforesaid maintenance case, a direction has been issued to the petitioner to maintain his wife and her two children.

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

6. Considering the aforesaid facts, 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, Begusarai in connection with Town (Lohiyanagar)P.S.Case No.677 of 2023, G.R.No.4000/23, 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)

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