

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25228 of 2024

Arising Out of PS. Case No.-343 Year-2021 Thana- BARAULI District- Gopalganj

Arvind Singh @ Arvind Kumar Singh S/O Lt. Surendra Singh R/O Village-
Bhad Kuiya, P.S- Barauli, Distt.- Gopalganj. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aadesh Raj Singh, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-05-2024 Heard Mr.Aadesh Raj Singh, learned counsel for the

petitioner, learned counsel for the informant and Mr.Ram

Bilash Roy Raman, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
07.11.2022 in connection with S.Tr.No.04 of 2024 arising out
of Barauli P.S. Case No. 343 of 2021, F.I.R. dated 15.11.2021
registered for the offence punishable under Sections
147,148,149,447,323,325,326,379,307,504,506 of IPC and
later on Section 302 of IPC was added.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 20.07.2023 passed in Cr. Misc.
No.16751 of 2023.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. As per FIR, allegation against the petitioner is



that he assaulted by iron pipe to the mother of the informant and other co-accused persons have also assaulted her and she died during treatment. Learned counsel for the petitioner further submits that the petitioner is in custody since 07.11.2022 and till date charge has not been framed against the petitioner and the co-accused persons have been granted privilege of anticipatory bail by the learned court below itself vide orders at Annexures-5 and 6 of this bail petition.

5. Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner and submits that some of co-accused persons have filed the revision petition before the learned court below and in view of that the charge has not been framed as yet and apart from that other co-accused persons have threatened the informant's family members and apart from that the postmortem report also supports the allegation as alleged in the FIR. Further submits that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases.

6. Considering the aforesaid facts, period of custody and other co-accused persons have been granted privilege of anticipatory bail by the learned court below itself, let the



petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-XII, Gopalganj in connection with S.Tr.No.04 of 2024 arising out of Barauli P.S. Case No. 343 of 2021, with the 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 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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