

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25493 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- DHARHARA District- Munger

Amit Kumar Singh @ Amit Raj Singh @ Bhurka Son Of Ram Padarath Singh
Resident Of Village - Bhalar, P.S. - Dharahra, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Kamal Nayan, Advocate
For the Informant	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2024 Heard Mr. Kumar Kamal Nayan, learned counsel for the petitioner, Mr. Rajesh Kumar, learned counsel appearing on behalf of the Informant and Mr. Aditya Narayan Singh, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Dharahra P.S. Case No. 24 of 2024, F.I.R. dated 24.01.2024 registered for the offences punishable under Sections 341, 323, 325, 307, 387, 504, 506 of the Indian Penal Code.

3. Allegation against the petitioner is that the accused petitioner started demanding Rs. 500/- for parking of vehicle from the informant who happens to be a Toto Driver, and when he denied, he was assaulted with lathi due to which he sustained injury.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that in the present case the informant has received injury but he has not produced any injury report till date which suggests that the informant has not received any injury in the present occurrence.

5. Learned counsel for the Informant and learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner and submits that without any authority the petitioner has demanded the amount from the informant and apart from that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in both the pending matters.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger in connection with Dharahra P.S. Case No. 24 of 2024, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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