

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27822 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- SANGRAMPUR District- East
Champaran

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1. Sudhir Kumar @ Sudhir Kumar Singh Son of Krishna Singh Resident of Village- Sikanderpur, P.S. Sangrampur, Dist.- East Champaran
 2. Manish Kumar @ Manish Kumar Singh Son of Krishna Singh Resident of Village- Sikanderpur, P.S. Sangrampur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2024 Heard Mr. Radha Mohan Singh, learned counsel for the petitioners as well as Mr. Khurshid Anwar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sangrampur P.S. Case No. 26 of 2024, F.I.R. dated 31.01.2024 for the offences punishable under Sections 341, 323, 427, 353, 504 and 506/34 of the Indian Penal Code.

3. According to prosecution case, the allegation against these petitioners is that they tried to cause hindrance in maintenance work of electric supply by snatching the phone of the staff of the employees who were capturing video of damaged electric pole.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. In fact, the petitioners are working in the electricity department on contract basis as Manav Bal and they have not caused any hindrance in performing the official duty of the informant. He further submits that as per the F.I.R., these petitioners have assaulted the informant but no injury report is available on record which suggests that the informant received any injury.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that no injury report is available on record which suggests that the informant received any injury, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East



Champaran, Motihari in connection with Sangrampur P.S. Case No. 26 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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