

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37828 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- PANDARAK District- Patna

Vikash Kumar SON OF Uday Narayan Sharma Village- Pandarak, P.S.-
Pandarak, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2024 Heard Mr.Shashi Bhushan Singh, learned counsel
for the petitioner and Mr.Dilip Kumar No. 1, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Pandarak P.S. Case No.02 of 2023, FIR dated
01.01.2023 registered for the offences punishable under
Sections 341, 307, 504, 506, 34 of IPC.

3. Allegation against the petitioner is that he fired
upon the informant but the informant saved himself.

4. Learned counsel for the petitioner submits that
petitioner 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. Further submits that in fact the petitioner is working in the postal department and he was not present at the place of occurrence and due to political rivalry between the parties the petitioner has falsely been implicated in the present case and as per FIR allegation against the petitioner is that he fired upon the informant but the bullet did not hit the informant and in fact the mother of the petitioner was twice elected as Mukhiya and due to political rivalry the petitioner has falsely been implicated in the present case.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the FIR and there is direct and specific allegation against the petitioner that he fired upon the informant and apart from the aforesaid, the petitioner carries three more cases other than the present one but fairly submits that out of three cases, the petitioner is on bail in one case and rest two cases are pending for consideration, as mentioned in para-3 of the anticipatory bail petition.

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 Addl. Chief Judicial Magistrate-I, Barh in connection with Pandarak P.S. Case No.02 of 2023, 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 bonds shall be cancelled by the Court below.

(II) If the petitioner tamper 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 antecedents, 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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