

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41114 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- CIVIL LINE District- Gaya

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Laddu Vishwakarma @ Laddu Mistry @ Pankaj Kumar Vishwakarma Son Of
Ganesh Vishwakarma @ Ganesh Mistry Village- Katri Hill Baljori Bigha, P.S-
Chadauti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saurav Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2024 Heard Mr. Saurav Singh, learned counsel for the

petitioner and Mr. Nirmal Kumar Sinha, learned APP for the

State.

2. The petitioner is apprehending his arrest
connection with Civil Lines Gaya P.S. Case No. 292 of 2023,
F.I.R. dated 01.05.2023 registered for the offences punishable
under Sections 414, 467, 468/34 of the Indian Penal Code.

3. Allegation against the petitioner is of destroying
and cutting a stolen truck in his garage.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent 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 the name of the petitioner has been transpired on the basis of disclosure made by co-accused persons namely Satyendra Vishwakarma and Dipu Kumar and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the name of the petitioner has been transpired on the basis of disclosure made by co-accused persons, 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 Chief Judicial Magistrate, Gaya in connection with Civil Lines Gaya P.S. Case No. 292 of 2023, 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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