

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36408 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- DIDARGANJ District- Patna

1. Chote Lal Singh @ Chhotelal Yadav Son of Late Rameshwar Singh Resident Of Village-Nathachak, P.S.-Didarganj, District-Patna
2. Rajnish Kumar Son of Chote Lal Singh Resident Of Village-Nathachak, P.S.-Didarganj, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Advocate
	:	Mr.Shashi Bhushan Singh, Advocate
For the Opposite Party/s	:	Mr.Atul Chandra, APP
For the Informant	:	Mr. Ajay Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-07-2024 Heard Mr.Amresh Kumar Sinha, learned counsel for the petitioners, Mr.Atul Chandra, learned Additional Public Prosecutor for the State and Mr. Ajay Kumar Gautam, learned counsel for the South Bihar Power Distribution Company Limited.

2. The petitioners are apprehending their arrest in connection with Didarganj P.S.Case No.199 of 2023, FIR dated 27.06.2023 registered for the offences punishable under Sections 341,323,504,506 of the Indian Penal Code.

3. Allegation against the petitioners is that they used unparliamentary language to the Govt. employee and obstructed the Govt. work.



4. Learned counsel for the petitioners submits that petitioner No.1 carries one more case other than the present one but he is on bail in the said case and petitioner No.2 has clean antecedent. They have falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that some altercation took place between the parties and the petitioners have only abused to the Govt. employee as alleged in the FIR. In fact no such occurrence had taken place and due to electricity bill the petitioners have false been implicated in the present case.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and the nature of allegation as alleged in the FIR, let the petitioners, above named, in the event of their 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 learned Judicial Magistrate-1st Class, Patnacity, Patna in connection with Didarganj P.S. Case No.199 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) 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 bonds shall be cancelled by the Court below.

(II) If the petitioners 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, 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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