

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41906 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- KARAKAT District- Rohtas

-
1. Binod Kumar Son of Late Baijnath Singh R/O Vill.- Dibra Tola, P.S.- Sikrahatta, Dist.- Bhojpur
 2. Ranjan Kumar Son of Late Baijnath Singh R/O Vill.- Dibra Tola, P.S.- Sikrahatta, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate
For the State : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2024 Heard Ms. Priya, learned counsel for the petitioners

and Mr. Abhay Kumar Roy, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Karakat P.S. Case No. 155 of 2023, F.I.R. dated 04.06.2023 for the offences punishable under Sections 341, 323, 448, 324, 307 and 34 of the Indian Penal Code.

3. According to prosecution case, petitioners along with other co-accused persons are said to have assaulted the informant and his family members. It is further alleged that they have taken Rs. 50,000/- and ornaments and fled away.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case due to admitted land dispute between the parties. He further submits that there is case and counter case between the parties. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioners rather general and omnibus allegation attributed against all the accused persons including the petitioners. He further submits that petitioners and informant are agnates to each other. He further submits that other co-accused persons, namely, Upendra Singh, Dharmendra Singh, Kamendra Singh, Chhathiya Devi, Mukesh Singh and Hiralal Singh have already been granted bail by this Court vide order dated 29.11.2023 passed in Cr. Misc. No. 75934 of 2023.

5. Learned Additional Public Prosecutor for the State, on the other hand, has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioners having clean antecedent, there is no specific allegation of any assault or overt act against the petitioners, there is case and counter case between the parties and other co-accused persons have already been granted bail by



this Court, 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Bhojpur at Ara in connection with Karakat P.S. Case No. 155 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 his absence on two consecutive dates without sufficient reason, his bail bond 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 antecedent, the court below shall take step for cancellation of bail bonds 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)

ajay/-

U		T	
---	--	---	--

