

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42730 of 2024

Arising Out of PS. Case No.-202 Year-2024 Thana- LAHERIYASARAI District- Darbhanga

Chandra Mohan Singh Son of Dhirender Kumar Singh R/o Vill.- Korigama,
P.S.- Baheri, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2024 Heard Mr. Girish Chandra Jha, learned counsel for
the petitioner and Mr. Anuj Kumar Shrivastava, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Laheriasarai P.S. Case No. 202 of 2024, F.I.R. dated 02.04.2024 for the offences punishable under Sections 448, 353, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including this petitioner have obstructed the informant from discharging his official duty and also threatened to kill him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has 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 petitioner has not committed any offences as alleged in the F.I.R. In fact, no such occurrence has been taken place and the informant has some personal grievance against the petitioner therefore, he has falsely implicate the petitioner in the present case. He further submits that from perusal of the F.I.R it appears that there is no specific allegation of any assault or overt act attributed against the petitioner.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act against this petitioner, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 202 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. 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.

ii. If the petitioner 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 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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