

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47559 of 2024**

Arising Out of PS. Case No.-65 Year-2024 Thana- JAMHOR District- Aurangabad

Vindeshwar Mehta S/o Late Basudeo Mehta R/o Village- Patanwa, P.S-
Jamhore, Distt.- Aurangabad (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Singh, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 07-08-2024 Heard Mr. Birendra Singh, learned counsel for the

petitioner and Ms. Nirmala Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Jamhore P.S. Case No. 65 of 2024, F.I.R. dated
17.04.2024 for the offences punishable under Sections 143, 323,
332, 333, 337, 338, 186, 188, 353, 307 and 427 of the Indian
Penal Code.

3. According to prosecution case, a fire was broke out
in the wheat and on information, the informant along with other
police personnel reached there and at the same time 21 named
accuse persons including this petitioner along with 20-25
unknown persons became violent against the police personnel
and attacked on them causing injury to them.



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. He further submits that it appears from the F.I.R. that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this 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, there is no specific allegation against the petitioner rather there general and omnibus allegation against all the accused persons including 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 I/C Additional Chief Judicial Magistrate VII, Aurangabad (Bihar) in connection with Jamhore P.S. Case No. 65 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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