

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52587 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- BIHIA District- Bhojpur

Bhim Kumar Pandey @ Bhim Pandey @ Pankaj Pandey SON OF Lalan
Pandey VILLAGE- SHAHPUR, PS- SHAHPUR, DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Anil Kumar Singh, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

2. The petitioner is apprehending his arrest in connection with Bihia P.S. Case No. 94 of 2024, F.I.R. dated 25.03.2024 for the offences punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, when the informant along with his brother Rahul Kumar Jaiswal were going for shopping, the petitioner and one Ujjwal Pandey came on one motorcycle and assaulted the informant and his brother Ujjwal Pandey. They also snatched Rs. 40,000/-, a mobile phone and a golden chain.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. Though the petitioner is named in the FIR, there is no specific allegation against him. The allegation of assault is general and omnibus in nature.

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

6. Considering the aforesaid facts and circumstances of the case and considering that the petitioner has clean antecedent, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Bhojpur at Ara in connection with Bihia P.S. Case No. 94 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 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 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 bonds 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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