

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52078 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- NARHATT District- Nawada

Arvind Kumar @ Arvind Singh @ Arvind Kumar Singh Son of Sato Singh @
Satyadeo Singh Resident of Village - Narayanpur, P.S. - Narhat, District -
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Onkar Nath, learned counsel for the

petitioner and Md. Fahimuddin, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Narhat P.S. Case No. 127 of 2024, F.I.R. dated
26.03.2024 for the offences punishable under Sections 147, 148,
149, 323, 307, 452, 354, 427, 504 and 506 of the Indian Penal
Code and Section 27 of the Arms Act.

3. According to prosecution case, all the accused
persons including this petitioner have assaulted the informant
and his associates by means of stick. It is further alleged that the
co-accused, Navin Kumar caused injury to Ranjeet Kumar and
co-accused, Raushan Kumar caused head injury to the



informant.

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 although the petitioner is named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation of assault, overt act or firing is attributed against this petitioner rather there is general and omnibus allegation against the petitioner and the specific allegation is against the co-accused persons, namely, Lalan Kumar and Navin Kumar.

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, Nawada in connection with Narhat P.S. Case No. 127 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)

Vanisha/-

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

