

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52723 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- JAMUI District- Jamui

VIKASH KUMAR @ KALLU RAM SON OF BATAN RAM @ TANOJ
RAM RESIDENT OF VILLAGE - PUTERIYA, P.S. - JAMUI, DISTRICT -
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jamui P.S. Case No. 236 of 2024, F.I.R. dated 23.04.2024 for the offences punishable under Sections 341, 323, 354(B), 504, 506, 427 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner and seven other FIR named accused persons armed with pistol, rod danda, surrounded the informant and abused her. Thereafter, the petitioner assaulted her by means of pistol and on the instruction of Bhutan Ram, this petitioner tried to administer filthy and dirty things to the informant.

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. There is case and counter case and the present FIR is counter blast of Jamui P.S. Case No. 231 of 2024 lodged by mother of the petitioner. Also the injury is simple 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 C.J.M, Jamui in connection with Jamui P.S. Case No. 236 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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