

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52226 of 2024

Arising Out of PS. Case No.-206 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

Ashok Paswan Son of Tuntun Paswan Resident of Manjhaul Khoir Tola,
Police Station - Cheriya Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Yogesh Kumar, learned counsel for the
petitioner as well as Mr. Shyameshwar Dayal, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Cheriya Bariyarpur (Manjhaul O.P.) P.S. Case No. 206 of 2022, F.I.R. dated 16.08.2022 for the offences punishable under Sections 147, 148, 149, 448, 323, 324, 307, 379, 354, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other co-accused persons armed with lathi-danda and iron rod entered the informant's house, started abusing and threatened the prosecution party to kill. Other co-accused persons brutally assaulted the informant's brother and also snatched the gold chain from the neck of the informant's brother.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that from the perusal of the F.I.R., it appears that there is no specific allegation against this petitioner rather there is allegation against the petitioner that he has threatened the informant.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that he has participated in the present crime in question and the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Cheriya Bariyarpur (Manjhaul O.P.) P.S. Case No. 206 of 2022, 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)

priyanka/-

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

