

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52824 of 2024

Arising Out of PS. Case No.-277 Year-2022 Thana- GAURICHAK District- Patna

Subodh Kumar @ Karu Kumar @ Karu Singh Son of Kedar Singh @
Kedarnath Singh R/o Village- Lakhipur Koli PS-Gaurichak Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2024 Heard Mr. Dheeraj Kumar, learned counsel for the

petitioner and Mr. Uma Shankar Prasad Singh, learned APP for

the State.

2. The petitioner is apprehending his arrest in
connection with Gaurichak P.S. Case No. 277 of 2022, F.I.R.
dated 08.05.2022 registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 504, 353, 332, 333, 338, 307,
354, 427, 337 of the Indian Penal Code.

3. According to prosecution case, petitioner along
with other co-accused persons are said to have attacked on
police officers due to which Abhishek Kumar Ranjan, Dina
Nath Singh, Rajmani Kumar have received grievous injury and



they also misbehaved with C.O., Punpun.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against 22 named accused persons including the petitioner. He further submits that co-accused person namely Anand Kumar has been granted the privilege of anticipatory by a Coordinate Bench of this Hon'ble Court vide order dated 13.12.2023 passed in Cr. Misc. No. 61685 of 2023, another co-accused person namely Mukesh Kumar Singh @ Mukesh Singh has been granted the privilege of anticipatory bail by this Court vide order dated 09.04.2024 passed in Cr. Misc. No. 594 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation against the petitioner as well as other similarly situated co-accused persons have been granted the privilege of anticipatory bail, let the petitioner, above



named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Patna City, Patna in connection with Gaurichak P.S. Case No. 277 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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