

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58614 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- CHANDI District- Bhojpur

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Ram Babu Singh S/O Late Kamla Singh R/O Village- Saripur, P.S- Sandesh,
Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the State : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2024 Heard Mr. Shiv Prasad Gupta, learned counsel for

the petitioner and Mr. Abhay Kumar Roy, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chandi P.S. Case No. 307 of 2023, F.I.R. dated 22.11.2023 for the offences punishable under Sections 147, 341, 342, 323, 332, 333, 307, 427 and 353 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other accused persons surrounded the police, using filthy language to them and started pelting bricks and stones. The pelted bricks and stones by them completely damaged the vehicle of the police and causing serious injury to the driver of the vehicle.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that from a bare perusal of the FIR 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 all the accused persons including this petitioner. He further submits that similarly situated co-accused person, namely, Ravish Kumar @ Abhishek Kumar has already been granted the privilege of anticipatory bail by this Court vide order dated 14.03.2024 passed in Cr. Misc. No. 17855 of 2024 and other co-accused person, namely, Pancham Yadav @ Dharmendra Kumar @ Dharmendra @ Pancham and Gupta Yadav @ Gupta @ Sushil Kumar have also been granted the privilege of anticipatory bail by this Court vide order dated 19.07.2024 passed in Cr. Misc. No. 26224 of 2024.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, the petitioner having clean antecedent, there is no specific allegation of any



assault or overt act is attributed against him and similarly situated other co-accused persons have already been granted bail by this Court, 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, Bhojpur at Ara in connection with Chandi P.S. Case No. 307 of 2023, 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)

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