

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56409 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- BIHARIGANJ District- Madhepura

Ravi Rishideo Son of Late Maharaj Rishideo R/O Vill.- Tulsia Ward no. 4,
P.S.- Bihariganj, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-09-2024 Heard Mr.Dinesh Prasad Verma, learned counsel for
the petitioner and Mr.Anil Kumar Singh No. 1, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihariganj PS Case No. 140 of 2023, FIR dated 10.06.2023, registered for the offences punishable under Sections 323, 341, 307, 325, 324, 379 and 506 read with Section 34 of the Indian Penal Code.

3. According to the prosecution case, the accused persons including the petitioner were ploughing the land of informant's father-in-law at gunpoint. It is further alleged that when the informant's family members forbade the accused persons in doing so, the co-accused persons assaulted them, causing injury. It is further alleged that when the informant went to save them, the accused persons also assaulted her and took



away her gold-chain worth Rs. 50,000/- (Rupees fifty thousand).

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. 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 the petitioner and due to admitted land dispute the present occurrence had taken place and the co-accused person, namely, Bauku Rishideo, against whom the similar allegation, has been granted privilege of anticipatory bail by this Court vide order dated 24.07.2023 passed in Cr. Misc. No.42706 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Udakishunganj in connection with Bihariganj PS



Case No. 140 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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