

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61651 of 2024

Arising Out of PS. Case No.-499 Year-2023 Thana- PAKARIBARAW District- Nawada

Rakesh Kumar @ Rakesh Singh @ Ranjay Singh Son Of Gorelal Singh, R/V-
Village- Dumrawan, P.S- Pakribarawan, Distt. -Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Partys

Appearance :

For the Petitioner : Mr. (Dr.) Anjani Pd. Singh, Advocate
For the Opposite Party : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2024 Heard Mr. (Dr.) Anjani Pd. Singh, the learned
counsel for the petitioner and Mr. Raj Kishor Singh, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
02.07.2024, in connection with Pakribarawan P.S. Case No. 499
of 2023, FIR dated 22.10.2023, registered for the offences
punishable under Sections 341, 323, 307, 354(B), 379, 504 and
506 read with Section 34 of the Indian Penal Code.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 3959 of 2024, which was
withdrawn vide order dated 07.02.2024 with a liberty to
surrender before the learned trial Court.

4. According to the prosecution case, the co-accused
persons, variously armed, entered into the house of the



informant and snatched her golden chain and they also assaulted the informant and her family members and also took one box containing items worth Rs. 1,50,000/- (Rupees one lakh and fifty thousand).

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and due to admitted land dispute the present occurrence has taken place. He further submits that as per the FIR, the petitioner assaulted the informant by means of *gadasa* and informant has received grievous injury. He further submits that although bare perusal of the FIR it appears that although injury inflicted is grievous in nature, however, there was no intention to kill the informant and the petitioner is in custody since 02.07.2024.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that petitioner carries one criminal antecedent other than the present one, however, he fairly admits that on the basis of paragraph no. 3 of



the bail petition, petitioner is on bail in the pending matter.

7. Considering the aforesaid facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawada, in connection with **Pakribarawan P.S. Case No. 499 of 2023**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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