

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61233 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- WARISLIGANJ District- Nawada

Manoj Ram son of Surendra Ram Resident Of Village- Bali, Ps -Kashichak,
District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Sheo Kumar Prasad, learned counsel for
the petitioner and Mr. Anish Chandra learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Warsaligang P.S. Case No.171 of 2024, FIR dated 06.05.2024 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 427, 385, 504, 506, 34, and 384 of I.P.C.

3. The prosecution case, in short, is that the informant alleged that, in a political talk, the petitioner and other co-accused persons became aggressive and assaulted by kataar and katta on the head of brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated



in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather there is specific allegation of assault attributed against co-accused person, namely, Guddu Chaudhary, Jitendra Singh and Sabir Khan and there is case and counter case.

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

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of assault or overt act attributed against the petitioner, 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, Nawada in connection with Warsaligang P.S. Case No.171 of 2024, 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)

Nitesh/-Harshita

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