

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62131 of 2024

Arising Out of PS. Case No.-241 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Murari Kumar @ Murari Singh S/o Bipin Singh @ Vipin Singh R/o vill -
Aakashpur Ramdiri, P.S. - Muffasil (Singhaul O.P.), Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 04-10-2024 Heard the parties.

2. The petitioner is in custody in connection with Muffasil (Singhaul O.P.) P.S. Case No. 241 of 2023 for the offence punishable under sections 147, 148, 149, 323, 324, 325, 307, 353, 332, 333, 337 and 338 of the Indian Penal Code lodged on 28.04.2023 by the informant, Deepak Kumar.

3. As per the prosecution story, the police upon information, went to arrest Vivek Kumar who had Rs. 50,000/- price on his head. However, the locals tried to protect him and started assaulting the police personnel by means of lathi causing injury to them. They were taken to Sadar Hospital, Begusarai for treatment. From the videography, the name of the accused persons came, petitioner being one of them. Accordingly, the



FIR.

4. Learned counsel for the petitioner submits that he was a passerby, stopped to look into the episode, his name came in the list of the accused only because he has criminal antecedent (which has been brought by way of supplementary affidavit). Further, he is ready appear in trial diligently and without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he is ready to pay Rs. 2,000/- to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer for bail submitting that he tried to suppress his criminal antecedent in paragraph-3 and subsequently it has been brought on record by way of supplementary affidavit.

6. The said act of the petitioner is deprecated specially when the learned Sessions Judge had already observed that he has criminal case pending against him.

7. However, In view of the fact that similar place co-accused Chhotu Singh has been extended relief in Cr. Misc. No. 13500 of 2024, this Court is inclined to extend him the privilege of bail subject to payment of Rs. 2,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of



local State Bank of India to be submitted to the Trial Court at the time of execution of bail bond.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai or successor Court, in connection with Muffasil (Singhoul O.P.) P.S. Case No. 241 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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