

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64569 of 2024**

Arising Out of PS. Case No.-94 Year-2024 Thana- BIHIA District- Bhojpur

Ujjawal Pandey @ Ujjawal Kumar Pandey Son of Ashok Pandey Resident of  
Village- Shahpur, P.S.- Shahpur, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manmohan Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-09-2024                      Heard Mr. Manmohan Kumar, learned counsel for  
the petitioner and Mr. Murli Dhar, learned Additional Public  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Bihia P.S. Case No. 94 of 2024, F.I.R. dated  
25.03.2024 for the offences punishable under Sections 341, 323,  
379, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along  
with one other accused person came on motorcycle and  
assaulted the informant as well as one Rahul Kumar and also  
snatched Rs. 40,000/-, one mobile phone and a gold chain.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner. He further submits that the similarly situated co-accused, namely, Bhim Kumar Pandey @ Bhim Pandey @ Pankaj Pandey has been granted bail by this Court vide order dated 21.08.2024 passed in Cr. Misc. No. 52587 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no allegation against the petitioner and the similarly situated co-accused person has been granted bail, 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 Additional Chief Judicial Magistrate V, Ara (Bhojpur) in connection with Bihia P.S. Case No. 94 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 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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