

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68255 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

PRAMOD RAY Son of Jitendra Ray R/o vill - Shahpur Undi, P.S. - Patori,
Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Amit Kumar, Adv. Mr. Ajay Kumar Singh, Adv. Mr. Kumar Bal Krishna, Adv.
For the State	:	Mr. Lalan Kumar, APP
For the Complainant	:	Mr. Praveen Ranjan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 05-03-2024 Heard learned Senior Counsel for the petitioner and

learned A.P.P. for the State and learned counsel for the

complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 168, 169,
218, 379, 403, 406, 409, 420, 422, 465, 477(A) of the Indian
Penal Code.

3. According to the prosecution case, the petitioner
along with other co-accused persons had felled around 200 trees
from the Government land, which was identified for
construction of Panchayat Bhawan, without permission.

4. Learned Senior Counsel for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that earlier Patori P.S. Case No. 88/22 was lodged against unknown thieves for similar nature of allegation. He further submits that one of the co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.02.2024 passed in Cr. Misc. No. 64433 of 2023. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Shahpur Patori P.S. Case No. 17 of 2023, subject to the condition as laid down under Section 438 (2) of



the Cr.P.C., and also the 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.

(Anjani Kumar Sharan, J)

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