

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67659 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- BELDOUR District- Khagaria

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1. Kunal Kumar Son of Chhatish Choudhary @ Satish Chaudhary Resident of Village - Dighaun, P.S. - Beldaur, District - Khagaria
 2. Prashant Kumar Son of Vilash Prasad Singh Resident of Village - Dighaun, P.S. - Beldaur, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-10-2024 Heard Mr. Rahul Singh, learned counsel for the

petitioners as well as Mr. Jagdhar Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Beldaur P.S. Case No. 115 of 2024, F.I.R. dated 20.04.2024 for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners have assaulted the informant due to which he sustained injuries.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have 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 petitioners have not committed any offences as alleged in the F.I.R. He further submits that it appears from the F.I.R that there is allegation against the petitioners that they have assaulted the son of the informant but from perusal of the F.I.R it appears that there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that there is there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and the petitioners have clean antecedent, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in connection with Beldaur P.S. Case No. 115 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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