

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81843 of 2024

Arising Out of PS. Case No.-50 Year-2022 Thana- BARABAR TOURIST District- Jehanabad

Neeraj Kumar S/O Satrudhan Sharma R/O Village- Parawan, P.S- Barabar
Pahar (Bishunganj O.P.), Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-12-2024 Heard Mr. Shivendra Prasad, learned counsel for the

petitioner and Mr. Jagdhar Prasad, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barabar Tourism (Vishunganj O.P.) P.S. Case No. 50 of 2022, F.I.R. dated 14.05.2022 for the offences punishable under Sections 379, 188 and 34 of the Indian Penal Code.

3. According to prosecution case, there is allegation against the petitioner that he along with other co-accused person has taken away the apprehended tractor from the clutch of the police.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that from bare perusal of the FIR it appears that there is allegation against the petitioner that



he helped his brother, namely, Prabhat Ranjan @ Dimple, who is co-accused in the present case, who has taken away the tractor from the custody of the police with the help of the petitioner. He further submits that it appears from the FIR that the main allegation is against the co-accused person, namely, Prabhat Ranjan @ Dimple who is brother of the petitioner and the said Prabhat Ranjan @ Dimple has already been granted the privilege of anticipatory bail by this Court vide order dated 30.11.2022 passed in Cr. Misc. No. 47527 of 2022.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one case other than the present one.

6. Considering the aforesaid facts that there is no specific allegation against the petitioner and the co-accused person has already been granted the privilege of anticipatory bail by this Court, 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 Judicial Magistrate First Class, Jehanabad in



connection with Barabar Tourism (Vishunganj O.P.) P.S. Case No. 50 of 2022, 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)

ajay/-

U		T	
---	--	---	--

