

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77088 of 2024

Arising Out of PS. Case No.-90 Year-2022 Thana- AGIAON BAZAR District- Bhojpur

Sanjeet Kumar S/o Late Satyendra Ram, R/o village - Agion Bazar, P.S. -
Agion Bazar, Distt. - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2024 Heard Mr. Akash Kumar Mishra, the learned
counsel for the petitioner and Mr. Abhay Kumar Roy, the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Agion Bazar PS Case No. 90 of 2022, FIR
dated 13.06.2022, registered for the offences punishable under
Sections 341, 323, 337, 307 and 504 read with Section 34 of the
Indian Penal Code.

3. According to the prosecution case, the informant,
who is the younger brother of one Satyendra Ram alleges that
the sons and son-in-law of Satyendra Ram had murdered him by
giving him poison and they have also threatened him with dire
consequences, if he ever discloses the same.

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 present FIR has been instituted after a delay of about seven days and upon perusal of the FIR, it appears that although, petitioner is named in the FIR, but there is no specific allegation of any assault or overt act, rather there is general and omnibus allegation against all the co-accused persons including the petitioner. He further submits that the co-accused persons namely, Sonu Kumar and Bhim Ravani have been granted the privilege of anticipatory bail *vide* order dated 14.12.2022 passed in Cr. Misc. No. 57382 of 2022.

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

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, there is no specific allegation of any assault or overt act attributed against the petitioner and similarly situated co-accused persons have been granted the privilege of anticipatory bail, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory



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, Bhojpur at Ara, where the case is pending in connection with **Agion Bazar PS Case No. 90 of 2022**, subject to the conditions 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 learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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