

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84322 of 2023

Arising Out of PS. Case No.-326 Year-2023 Thana- MUFFASIL District- Aurangabad

Bablu Singh Son Of Sunil Singh Resident Of Village- Raipura, Ps- Muffasil,
Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Pramendra Kumar Singh, learned counsel
for the petitioner and Mr. Nityanand, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Aurangabad Muffasil P.S. Case No. 326 of 2023, F.I.R. dated 11.08.2023 registered for the offences punishable under Sections 379, 411, 353, 504 of the Indian Penal Code and Sections 4(1) of the Mines and Mineral (Development and Regulation) Act (MMDR Act).

3. Allegation against the petitioner is that he had obstructed in discharge of official duty.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely 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 no concern with the alleged occurrence and he has falsely been implicated due to ulterior motive by the prosecution. He further submits that from perusal of the F.I.R. no case is made of under the MMDR Act against the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 326 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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