

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.594 of 2024

Arising Out of PS. Case No.-277 Year-2022 Thana- GAURICHAK District- Patna

Mukesh Kumar Singh @ Mukesh Singh Son Of Feku Singh R/O Village-
Lakhipur Koli, Ps- Gaurichak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad, Advocate
For the State	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2024 Heard Mr. Jay Ram Prasad, learned counsel for the
petitioner and Mr. Pravan Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gaurichak P.S. Case No. 277 of 2022, F.I.R. dated 08.05.2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 353, 332, 333, 338, 353, 307, 354, 427 and 337 of the Indian Penal Code.

3. According to prosecution case, petitioner along with other co-accused persons are said to have attacked on police officers due to which Abhishek Kumar Ranjan, Dina Nath Singh, Rajmani Kumar have received grievous injury and they also misbehaved with C.O., Punpun.

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 from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act against the petitioner rather general and omnibus allegation against all the 32 accused persons including the petitioner.

5. 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, the petitioner having clean antecedent and there is no specific allegation of any assault or overt act is attributed against the petitioner, 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 A.C.J.M., Patna in connection with Gaurichak P.S. Case No. 277 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)

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