

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4328 of 2024

Arising Out of PS. Case No.-15 Year-2023 Thana- KAJRA District- Lakhisarai

Satyendra Kumar @ Sakindar Kumar S/o Kameshwar Yadav Resident of
Village- Ramtaliganj, Police Station- Kajra, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2024 Heard Mr. Mukesh Kumar, learned counsel for the
petitioner and Mr. Madhura Nand Jha, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Kajra P.S. Case No. 15 of 2023, F.I.R. dated 29.01.2023 registered for the offences punishable under Sections 147, 149, 341, 342, 323, 324, 307, 325, 504 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons surrounded the informant near the house of Triloki Yadav and assaulted him with *Tangi, Sawal and Bricks*.

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 from



perusal of the F.I.R. it appears that the F.I.R. is in two parts, in first part, there is general and omnibus allegation against all the accused persons including the petitioner and in second part, there is specific allegation of assault attributed against co-accused persons namely Shyam Yadav, Deepak Kumar and Sahindar Kumar and there is no specific allegation of any assault or overt act attributed against the petitioner.

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

6. Considering the aforesaid facts that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act attributed against the petitioner, 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 S.D.J.M. Lakhisarai in connection with Kajra P.S. Case No. 15 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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