

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51121 of 2024

Arising Out of PS. Case No.-259 Year-2022 Thana- GORAUL District- Vaishali

Prabhat Kumar Singh @ Prabhat Kumar Sonof Awadh Kishore Singh R/O-
Vilalge- Vyaschak, P.S.- Goraul, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Ms. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 10-01-2025 Heard Mr. Yogesh Chandra Verma, learned senior
counsel for the petitioner and Mr. Arun Kumar Pandey, learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with S.T.
No. 249 of 2023 arising out of Goraul P.S. Case No. 259 of
2022, FIR dated 29.06.2022 for the offences punishable under
Sections 302, 120B, 506 and 34 of the Indian Penal Code and
under Section 27 of the Arms Act.

3. Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 29.08.2023 passed in Cr.
Misc. No. 45607 of 2023.

4. Learned senior counsel for the petitioner submits
that the petitioner is innocent and he has falsely been implicated



in the present case. He further submits that it appears from the FIR that the present FIR has been instituted after thought only to falsely implicate the petitioner. He further submits that from a bare perusal of the FIR, it appears that the occurrence had taken place on 28.06.2022 at 10:30 A.M., inquest report was prepared on 28.06.2022, the post-mortem was conducted on 28.06.2022 at about 5:30 P.M and the present FIR has been lodged on 29.06.2022 at 11:30 A.M. and even the name of the petitioner has not been mentioned in the inquest report. He further submits that the charge has been framed against the petitioner on 19.11.2024. The petitioner is rotting in judicial custody since 23.07.2022.

5. Learned A.P.P. for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that it appears from the FIR that there is direct and specific allegation against the petitioner that he has fired upon the son of the informant and post mortem report also supports the allegation as alleged in the FIR and apart from that the petitioner carries seven more cases other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts that the present



FIR has been instituted after one day of the conducting of the post-mortem report and preparation of the inquest report and apart from that the charge has been framed against the petitioner on 19.12.2024, let the, above named, petitioner 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 learned Addl. Chief Judicial Magistrate-I, Vaishali, Hajipur in connection with Session Trial No. 249 of 2023 arising out of Goraul P.S. Case No. 259 of 2022 with the 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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	
---	--	---	--

