

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64525 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- RAJAPAKAR District- Vaishali

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1. Arvind Singh @ Bindu Singh S/o Late Raj Ballabh Singh Resident of Village Sapaha, P.S.- Rajapakar, Baranti O.P., Dist- Vaishali
 2. Nageshwar Singh S/o Late Raj Ballabh Resident of Village Sapaha, P.S.- Rajapakar, Baranti O.P., Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2025 Heard Mr. Pawan Kumar Singh, learned counsel for the petitioners and Dr. Indihar Kumari, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application with respect to Petitioner No. 1, namely, Arvind Singh @ Bindu Singh.

3. Permission is accorded.

4. Accordingly, this application stands dismissed as withdrawn with respect to petitioner no. 1.

5. The petitioner, namely, Nageshwar Singh is apprehending his arrest in connection with Rajapakar (Baranti O.P.) P.S. Case No. 133 of 2024, F.I.R. dated 21.04.2024 for the



offences punishable under Sections 323, 341, 325, 307, 354, 379, 506/34 of the Indian Penal Code.

6. According to prosecution case, all the accused persons including this petitioner have brutally assaulted the informant and his wife. It is further allege that the co-accused, Arvind Singh assaulted the informant by means of handle of pistol due to which the informant sustained injuries.

7. 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 it appears from the F.I.R itself that due to admitted land dispute between the parties, the present occurrence has taken place. He further submits that the petitioner is named in the F.I.R. and the said F.I.R is in two parts. According to part one, there is direct and specific allegation against the co-accused, Arvind Kumar and according to part two of the F.I.R, there is general and omnibus allegation against all the accused persons including this petitioner.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is no specific



allegation against the petitioner, let the petitioner (except petitioner no. 1), 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 Judicial Magistrate 1st Class cum Munsif, Vaishali at Hajipur in connection with Rajapakar (Baranti O.P.) P.S. Case No. 133 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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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