

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75320 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- HALSI District- Lakhisarai

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Jitendra Kumar Singh @ Nunu Singh S/O Late Sadanand Singh Resident of
village -Konag, P.S.- Halsi District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr. Satya Prakash Parasar, learned counsel

for the petitioner and Mr. Harendra Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Halsi P.S. Case No. 267 of 2024, F.I.R. dated 04.09.2024 for the offences punishable under Sections 121(2), 324(6), 352, 351(2), 303(2) and 132 of Bharatiya Nyaya Sanhita Act.

3. According to prosecution case, the petitioner entered the office of the informant, who happens to be a Circle Officer and asked for mutation of land of some other persons but when the informant denied for the same, then he misbehaved with the informant and a female officer and also passed abusive language and made some nuisance in the office.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact, the petitioner for negotiation over one land of one Mr. Bashishth Prashad Sharma, has visited the office of the informant and he was seeking information whether the said Bashishth Prasad Sharma was the genuine owner of the land, in question, or not and the Staffs of the office of the informant have demanded some amount from the petitioner for giving such information and the petitioner denied the same and for that, the present FIR has been instituted against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the present FIR, apart from that the petitioner is having one criminal antecedent, but fairly submitted on the basis of Paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts that no such occurrence has taken place and the staffs of the office of the informant have demanded some amount from the petitioner for giving information and the petitioner has denied the same, 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 Judicial Magistrate in connection with Halsi P.S. Case No. 267 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)

Jyoti Kumari/-

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