

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77610 of 2024

Arising Out of PS. Case No.-396 Year-2022 Thana- KARAHGAR District- Rohtas

Vijay Singh @ Vijay Kumar Rai Son of Late Rajbansh Singh Village -Kaua
Khonch , PS- Kargahar , Dist -Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshman Singh son of Brikesh Singh Village Chawari P.O. and P.S.
Kochas, Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Singh, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP
For the O.P. No.2	:	Mr. Dharmendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-01-2025 Heard Ld. counsel for the petitioner, Ld. APP for the
State and learned counsel for the O.P. No.2.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kargahar P.S. Case No. 396 of 2022 dated
02.11.2022, registered for the offences punishable under
Sections 341, 323, 379, 406, 420, 504 and 506 of the Indian
Penal Code.

3. As per allegation, the harvester was given by the
informant to the petitioner and other co-accused on hire. But
when the informant went to the petitioner and other co-accused
for getting the hiring charge, it was not given and the accused-
petitioner abused him.



4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is the father-in-law of the blood brother of the informant and hence, he has been falsely implicated, because he has no good relationship with his brother. He further submits that the alleged facts and circumstances, there is civil dispute and no criminal offence is committed.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State and learned counsel for the O.P. No. 2 vehemently oppose the prayer of the Petitioner for bail submitting that the petitioner has cheated the informant and hence, he does not deserve to be enlarged on anticipatory bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 396 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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