

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89627 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Rakesh Singh @ Rakesh Kumar S/O Ram Kripal Singh Resident of Ward no.
13, Chak Mujaffar Sisauni, P.S.- Nawkothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Singh, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2025 Heard Mr. Santosh Kumar Singh, learned counsel

for the petitioner and Mr. Anand Kishore Choudhary, learned

A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
25.09.2024, in connection with Nowkothi P.S. Case No. 40 of
2024, FIR dated 27.03.2024 registered for the offence under
Sections 341, 323, 307, 379 and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he and
other co-accused persons have assaulted to the son of the
informant by means of fist, slap and brick stone due to which he
sustained injury on his head.

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



implicated in this case due to the admitted land dispute between the parties. He further submits that there is case and counter case between the parties. He further submits that the other co-accused persons, namely, Ram Shankar Singh & Ors. have already been granted the privilege of anticipatory bail by this Court vide order dated 07.08.2024 passed in Cr. Misc. No. 47846 of 2024. He further submits that both the parties are agnates to each other. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 25.09.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that out of four cases the petitioner in one bail in three cases.

6. Considering the aforesaid facts, 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 C.J.M., Begusarai in connection with Nowkothi P.S. Case No. 40 of 2024 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)

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