

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4825 of 2025

Arising Out of PS. Case No.-172 Year-2024 Thana- BOCHAHAN District- Muzaffarpur

Niraj Kumar Son of Santlal Sahani Village -Gachhi Tola Ramdas Majhaul
Police Station- Bochahan District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar S.K., Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Bochahan P.S. Case No. 5114008240172 of 2024 dated 25.07.2024, registered for the offences punishable under Sections 192(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 132, 352, 351(2) & 351 (3) of BNS Act.

3. As per allegation, when the Police team reached the home of Sangita Devi, the Police personnel were assaulted by about 15-20 persons and thereafter, the accused persons fled away. As per inquiry, the name of accused persons including the petitioner has been taken by *Chowkidar*.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no way involvement of the petitioner in the alleged offence. His name has been taken only on the basis of suspicion. He was not present on the place of occurrence and, hence, there is no question of committing the alleged offence. He further submits that similarly situated co-accused persons have been enlarged on anticipatory bail by this Court *vide* order dated 11.12.2024 passed in Cr. Misc. No. 84431 of 2024.

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 got clean antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for 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 learned A.C.J.M 14 (East), Muzaffarpur, in connection with Bochahan P.S. Case No. 5114008240172 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC. and on the following conditions:

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

(Jitendra Kumar, J.)

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