

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5078 of 2025

Arising Out of PS. Case No.-566 Year-2023 Thana- CHHATAUNI District- East Champaran

Satish Kumar Son of Phulan Sharma @ Fulena Sharma Resident of village -
Badhai Tola, Ward No.- 11, P.S.- Chhatauni, District - East Champaran,
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr.Rajesh Kumar, learned counsel for the

petitioner and Mr.Rabindra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Chhatauni P.S. Case No.566 of 2023, dated
10.11.2023 registered for the offences punishable under
Sections 290,353,427/34 of IPC.

3. According to prosecution case, when the police
scolded this petitioner and others not to pass comments while
looking at the girls, this petitioner and others attacked on the
police vehicle by pelting stone, due to which glass of vehicle
was broken and some police personnel received injuries.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. No such occurrence had taken place and petitioner has been made accused in the present case due to ulterior motive and name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Dipu Kumar.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation against the petitioner in the FIR and name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Dipu Kumar, let the petitioner, above named, in the event of his 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 learned C.J.M., Motihari, East Champaran, Motihari in connection with Chhatauni P.S. Case No.566 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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