

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3501 of 2025

Arising Out of PS. Case No.-823 Year-2024 Thana- BIHAR District- Nalanda

Savi Kumar @ Sevi Kumar S/O- Mahesh Pandit, R/o Village- Tilaiya, PS-
Rajgir, Dist- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mr. Anil Kumar Singh, the learned counsel

for the petitioner and Mr. Ram Sevak Choudhary, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Bihar Sharif PS Case No. 823 of 2024, FIR

dated 02.11.2024, registered for the offences punishable under

Sections 305(B) and 317(2) of the B.N.S.

3. According to the prosecution case, during the

course of vehicle checking, the police apprehended two persons

who were driving without helmet and they also failed to produce

any paper regarding the vehicle. It is further alleged that during

the checking of registration no. of the said vehicle, it was found

that Islampur PS Case No. 60 of 2024 is lodged with regard to

the said vehicle.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that petitioner is not named in the FIR and name of petitioner transpired during investigation on the basis of confessional statement of one Raushan Kumar and prior to that, the apprehended co-accused person namely, Md. Raja @ Md. Sadab disclosed the name of co-accused Raushan Kumar, who in turn disclosed the name of the petitioner. He lastly submits that except the aforesaid, no other cogent material has come during investigation which suggests that involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent and except the confessional statement of the co-accused person no other cogent material has come during investigation which suggests that involvement of the petitioner in the present occurrence, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period



of four weeks from the date of receipt of the order, be released on anticipatory 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 Chief Judicial Magistrate, Nalanda at Biharsharif, where the case is pending in connection with **Biharsharif PS Case No. 823 of 2024**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, 2023 and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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