

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3502 of 2025

Arising Out of PS. Case No.-979 Year-2024 Thana- NAWADA District- Nawada

Surya Kumar @ Vinay Kumar @ Binay Kumar S/O Dani Yadav R/O Village-
Lohanibigha (Kali Mandir), P.S.- Nagar, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mr. Mayank Bilochan, learned counsel for
the petitioner and Ms. Asha Devi, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Nawada (Town) P.S. Case No. 979 of 2024, F.I.R. dated 25.08.2024 registered for the offences punishable under Sections 126(2), 115(2), 109, 3(5) of Bhartiya Nyaya Sanhita, 2023.

3. Allegation against the petitioner is that he along with other co-accused persons hit the informant with lathi, danda, iron rod due to which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or



overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the injury report of the injured persons suggests that the injuries are simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that the petitioner has participated in the present crime in question as well as petitioner also carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada (Town) P.S. Case No. 979 of 2024, 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 :-



(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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