

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5128 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- SAHEBPUR KAMAL District- Begusarai

1. Sudhir Kumar Singh @ Sudhir Kumar S/O Krishna Singh R/O Village- Vishnupur Ahok, P.S.- Sahebpur Kamal, District- Begusarai.
2. Dharambeer Kumar S/O Krishna Singh R/O Village- Vishnupur Ahok, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr. Yogesh Kumar, learned counsel for the
petitioners and Mr. Yogendra Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sahebpur Kamal P.S. Case No. 12 of 2024, F.I.R. dated 14.01.2024 registered for the offences punishable under Sections 147, 341, 323, 379, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they along with other co-accused persons having armed with weapons and started assaulting with *three nut desi katta* to the informant and their family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely



implicated in the present case. He further submits that there is case and counter case between the parties and the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is specific allegation against petitioner no. 2, namely, Dharambeer Kumar that he assaulted to one of the family members of the informant. Learned counsel for the petitioner further submits that no any members of the informant has received any injury but the informant has received injury which is simple in nature caused by hard and blunt substance.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and they have assaulted the informant and their family members.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and the injury received by the informant is simple in nature and there is case and counter case between the parties, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge VIth-cum-A.C.J.M. IVth, Begusarai in connection with Sahebpur Kamal P.S. Case No. 12 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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