

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3993 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- MAHESHKHUNT District- Khagaria

Ajit Singh @ Ajit Kumar S/o Naresh Singh Resident of Village- Kushwaha
Nagar Maheshkhunt, PS- Maheshkhunt, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the State : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mr. Amar Kumar Singh, learned counsel for

the petitioner and Mr. Shyameshwar Dayal, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Maheshkhunt P.S. Case No. 165 of 2024, F.I.R. dated 17.09.2024 for the offences punishable under Sections 126(2), 115(2), 109, 103(1), 3(5) of the B.N.S.

3. According to prosecution case, all the F.I.R. named persons armed with deadly weapons assaulted the son and husband of the informant.

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 from a bare perusal of the FIR it appears that the present FIR is in two parts, in the first part, there is specific allegation of assault attributed against the co-accused person, namely, Naresh Singh



who has assaulted to the son of the informant by means of khanti and there is specific allegation of assault is attributed against the co-accused person, namely, Arvind Kumar Singh who has assaulted with bamboo to the husband of the informant and, in the second part, there is general and omnibus allegation against all the accused persons that they have also assaulted to the husband of the informant. He further submits that it appears from the FIR that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against the petitioner.

5. 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 that the petitioner has clean antecedent and there is no specific allegation of any assault or overt act against the petitioner, let the petitioner, above named, in the event of 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 the learned Judicial Magistrate, 1st Class, Khagaria in connection with Maheshkhunt P.S. Case No.



165 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of B.N.S.S., 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 absence on two consecutive dates without sufficient reason, his 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 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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