

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5247 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

=====

Vicky Puri @ Vicky S/O Dinesh Puri R/O Vill.- Rampur Khajuriya, P.S.-
Dumariyaghat, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Rajendra Prasad Nat, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Dumariyaghat P.S.Case No.48 of 2024, FIR
dated 04.03.2024 registered for the offences punishable under
Sections 341,323,307,379,504,34 of IPC.

3. The allegation in the FIR is that the petitioner and
two other FIR named co-accused persons and 7-8 unknown
persons committed loot of Rs.50,000/- and also assaulted him. It
is further alleged that accused persons have also assaulted the
drivers Kishore Mahto, Amit Kumar and Rahul Yadav.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that it appears from the FIR that although the petitioner is named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is specific allegation of assault attributed against co-accused person, namely, Sadhu Puri that he assaulted on the head of the informant.

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

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioner, 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 Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No.48 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:-



(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)

Nitesh/-

U		T	
---	--	---	--

