

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5731 of 2025

Arising Out of PS. Case No.-247 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Rishikesh @ Rishikesh Ravi Ranjan S/O Sanjay Kr. Singh R/O Vill.-
Kashibari, Deramari, W. no. 14, P.S.- Kochadhaman, Dist.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr. Pramod Kumar, learned counsel for the

petitioner and Mr. Surendra Prasad Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Kochadhaman P.S. Case No. 247 of 2023, F.I.R. dated 18.10.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379 and 427 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other persons have blocked the road on account of death of one person and they assaulted the informant badly due to which he sustained injury, damaged his vehicle and snatched Rs. 38,000/- from his possession.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 14.10.2023 but the present F.I.R. was instituted on 18.10.2023 after delay of four days without giving any explanation of delay only afterthought to falsely implicate the petitioner. 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.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in



connection with Kochadhaman P.S. Case No. 247 of 2023, 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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