

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14679 of 2025

Arising Out of PS. Case No.-305 Year-2024 Thana- JAGDISHPUR District- Bhojpur

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Jitendar Kumar @ Gopal Singh @ Gopal Son of Nandjee Singh Resident of
Village- Dharam Pipra, P.S.- Jagdishpur, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 16-05-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Parmanand Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 305 of 2024, F.I.R. dated 07.09.2024 for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 329(40, 329(3), 351(2), 109, 191(3) of B.N.S.S. 2023 and Section 27 of the Arms Act.

3. According to prosecution case, the petitioner along with 6-7 unknown persons assaulted the informant armed with weapons with an intention to kill him.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that there is case and counter case and although the



petitioner is named in the F.I.R. but from perusal of the F.I.R., it appears that there is no specific allegation of any assault or overt act or firing attributed against this petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner and the similarly situated co-accused persons, namely, Raj Kumar and Ajay Kuamr have been granted the privilege of anticipatory bail vide order dated 19.02.2025 in Cr. Misc. No. 5118 of 2025 by this Court.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one criminal antecedent 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 matter.

6. Considering the aforesaid facts, there is no specific allegation of any assault or overt act or firing attributed against this petitioner and the similarly situated co-accused persons have been granted privilege of Anticipatory Bail by this Court, 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 Chief Judicial Magistrate,



Bhojpr at Ara, in connection with Jagdishpur P.S. Case No. 305 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the 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)

Jyoti Kumari/-

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