

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5683 of 2025

Arising Out of PS. Case No.-482 Year-2021 Thana- SHERGHATI District- Gaya

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Pappu Kumar S/o Ashok Prajapat, Resident of Village- Dharmthan, P.S-
Barachatti, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr. Sanjay Kumar Sharma, the learned

counsel for the petitioner and Mr. Ram Naresh Ray, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in

connection with Sherghatti (Dobhi) PS Case No. 482 of 2021, FIR

dated 08.08.2021, registered for the offence punishable under

Section 392 of the Indian Penal Code.

3. According to the prosecution case, one Vivek Yadav

asked the informant to drop him off at Ghora Ghat Dobhi, Bihar,

in exchange of Rs. 5,000/- (Rupees five thousand only) and when

they arrived at the said place, Vivek Yadav and one Kailu Paswan

took informant's car by force and also assaulted the informant and

his friend and threatened them with dire consequence.

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 petitioner is not named in the FIR and name of petitioner transpired on the basis of confessional statement of the co-accused person namely, Laxman Paswan. He lastly submits that except the confessional statement of the co-accused person, no other cogent material has come during investigation which suggests the involvement of the petitioner in the present occurrence.

5. The 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 and circumstances and mainly the facts that petitioner has clean antecedent, he is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Additional Chief Judicial Magistrate-I, Sherghati, Gaya, where the case is pending in connection with **Sherghatti (Dobhi) PS Case No. 482 of 2021**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, 2023 and also the following



conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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