

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9179 of 2025

Arising Out of PS. Case No.-943 Year-2022 Thana- SONEPUR District- Saran

Golu Kumar S/o Surendra Bhagat, Resident of village - Jahangirpur, Police station- Sonepur, District- Chapra Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. (Dr.) Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-02-2025 Heard Mr. Braj Nandan Kumar Tiwary, the learned counsel for the petitioner and Mr. (Dr.) Ajeet Kumar, the learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sonepur PS Case No. 943 of 2022, FIR dated 09.12.2022, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

3. According to the prosecution case, the co-accused persons including the petitioner started abusing the informant and upon her protest, they assaulted the informant and her husband.

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 upon perusal of the FIR, 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 levelled against the petitioner. He lastly submits that the co-accused person namely, Ranjeet Kumar has been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 28.07.2023 passed in Cr. Misc. No. 40044 of 2023.

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, there is no specific allegation of any assault or overt act attributed against the petitioner and similarly situated co-accused person has been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, 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 Chief Judicial Magistrate, Saran, Chapra, where the case is pending in connection with **Sonepur PS Case No. 943 of 2022**, 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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