

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11980 of 2025

Arising Out of PS. Case No.-58 Year-2022 Thana- TIKAPATTI District- Purnia

1. Sumit Kumar @ Sumit Mandal S/O Vivek Kumar Mandal @ Vivekanand Mandal R/O Village- Mehandi, P.S- Tikapatti, District- Purnea
2. Vinit Kumar @ Vinit Mandal @ Vinit Manal S/O Vivek Kumar Mandal @ Vivekanand Mandal R/O Village- Mehandi, P.S- Tikapatti, District- Purnea
3. Sulekha Devi @ Sulekha Kumari W/O Yogendra Mandal R/O Village- Dumri, P.S- Tikapatti, District- Purnea
4. Vishundev Mandal @ Bisandev Mandal S/O Zakasu Mandal R/O Village- Dumri, P.S- Tikapatti, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar Bhagat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 04-08-2025 Heard Mr.Sumit Kumar Bhagat, learned counsel
for the petitioners and Mr.Arun Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tikapatti P.S.Case No.58 of 2022, G.R.Case No.3167/2022, FIR dated 02.07.2022 registered for the offences punishable under Sections 147,149,323,365,302 of the Indian Penal Code.

3. According to prosecution case, all the F.I.R. named accused persons are said to have committed murder of



the son of the informant.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. The informant is not the eye witness of the alleged occurrence even no one has seen the alleged occurrence and the police, after investigation, submitted final form in favour of the petitioners but the learned court below, in a mechanical manner, took cognizance against the petitioners vide order dated 05.10.2023.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, informant is not the eye witness of the alleged occurrence, and the police, after investigation, submitted final form in favour of the petitioners but the learned court below, in a mechanical manner, took cognizance against the petitioners, let the petitioners, above named, in the event of their 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)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Tikapatti P.S.Case No.58 of 2022, G.R.Case No.3167/2022, 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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