

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13272 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

1. Rakesh Singh S/o- Shivan Singh Resident of village- Kaswa Abhaypur Ps- Piri bazar District- Lakhisarai
2. Tippan Singh @ Rajesh Kumar S/o- Shivan Singh Resident of village- Kaswa Abhaypur Ps- Piri bazar District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Najmul Hodda, Advocate
For the Informant	:	Mr. Binay Kumar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2025 Heard Mr. Md. Najmul Hoda, learned counsel for the petitioners, Mr. Binary Kumar, learned counsel for the Informant and Mr. Arun Kumar Pandey, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Piri Bazar P.S. Case No. 68 of 2024, F.I.R. dated 02.06.2024 registered for the offences punishable under Sections 302, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 02.06.2024 an information was received that brother of the informant was found in unconscious state at Dev Medical. When informant reached there he found his brother dead. It was



informed at two days before ago Tippan Singh, Mukul singh, Narayan Singh, Rakesh Singh came to their resident and gave warning to leave the land else they will kill them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case merely on the basis of suspicion. He further submits that the informant is not an eye witness of the alleged occurrence and even no one has seen the alleged occurrence. He further submits that due to previous dispute between the deceased and the petitioners, the informant has falsely implicated the petitioners in the present case and nothing has come during investigation to suggest the involvement of the petitioners in the present occurrence except suspicion.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that due to previous dispute the petitioners might kill the brother of the informant and apart from that petitioner no. 1 carries three more cases and petitioner no. 2 carries four more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that petitioner no. 1 has been acquitted in all the three cases and petitioner no. 2 has been acquitted in three cases



and rest one case, he is on bail.

6. Considering the facts and circumstances of the case and the fact that no cogent material has come during investigation to suggest the involvement of the petitioners in the present occurrence except suspicion, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Piri Bazar P.S. Case No. 68 of 2024, 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) 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.

(2) If the petitioners tamper 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 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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