

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13740 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- BELDOUR District- Khagaria

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1. Krishna Kumar @ Krishnandan Kumar S/O Gopal Sharma Resident of Village- Lalgol, P.S.- Beldaur, District- Khagaria
 2. Simran Kumari D/O Gopal Sharma Resident of Village- Lalgol, P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Rahul Singh, learned counsel for the petitioners and Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Beldaur P.S. Case No. 217 of 2024, F.I.R. dated 18.06.2024 for the offences punishable under Sections 366A/34 of Indian Penal Code.

3. According to prosecution case, the informant alleged that one Amarjeet Kumar Sah fled away with his daughter and when the informant went to the house of Amarjeet Kumar, all FIR named accused persons abused and assaulted him.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the petitioners are not named in the FIR and the name of the petitioners transpired during investigation in statement of the victim which was recorded under Section 164 Cr.P.C/183 BNSS. According to the FIR, the daughter of the informant fled away with one Amarjeet Kumar Sah but in her statement which was recorded under Section 164 Cr.P.C/183 BNSS, she has categorically that Amarjeet Kumar Sah has no fault in the present case and fault is against the petitioners who are brother and sister of the victim. He further submits that except the aforesaid no other cogent material is available against the petitioner which suggest the involvement of the petitioner in the present occurrence and infact the victim was in love with Amarjeet Kumar Sah. He further submits that the petitioners have no role at all in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and petitioners are not named in the FIR, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in connection with Beldaur P.S. Case No. 217 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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