

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15231 of 2025

Arising Out of PS. Case No.-143 Year-2020 Thana- MARANCHI District- Patna

Kundan Kumar S/O Radhashyam Mahto R/O Village- Maranchi, Krishna
Tola, P.S-Maranchi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Mr. Suraj Kumar, learned counsel for the

petitioner and Mr. Rajendra Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Maranchi P.S. Case No. 143 of 2020, F.I.R. dated 03.11.2020 for the offences punishable under Sections 341, 323, 324, 308. 448, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, on 03.11.2020, when the informant went to Jay Prakash Kumar @ Munna to demand payment for two months of shop work and three months of auto driving, Munna and two others brutally assaulted him. When his mother and maternal uncle intervened, they were also abused and assaulted. The informant sustained multiple injuries and claimed that the accused, including Kundan Kumar, had previously threatened to kill him.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the petitioner has not committed any offence, as alleged in the F.I.R. Learned counsel further submits that the petitioner has been made accused in the present case due to village politics. Thereafter, the informant filed the present case only to harass the petitioner, even though a compromise took place between the parties in the village Panchayati.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner but fairly submits that there is no injury report available on record, which suggests that the informant has received no injury.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the injury report is not available on record, which suggests that the informant has received no injury, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Barh, Patna in connection with Maranchi P.S. Case No. 143 of 2020, 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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 court below 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 court below 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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