

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20026 of 2025

Arising Out of PS. Case No.-456 Year-2024 Thana- PAKARIBARAW District- Nawada

Viraj Soni S/o- Babloo Kumar Resident of Mohalla - Tripolia Hospital,
Alamganj, P.S. - Alamganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyamal Prakash, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr.Shyamal Prakash, learned counsel for the

petitioner and Ms.Renu Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Pakaribarawan P.S. Case No.456 of 2024, dated 07.10.2024 registered for the offences punishable under Sections 309(3) of Bhartiya Nyaya Sanhita, 2023.

3. The prosecution story in brief is that the informant namely Ranjit Kumar, alleged that on 07.10.2024 at about 12:40 pm, while he was returning from Union Bank, after withdrawing Rs. 4,50,000/- in cash, in the meantime, three unknown assailants on motorcycle, with their faces covered, hit his vehicle, causing him to fall into a paddy field. It is further alleged that one assailant pointed a gun at him while another



snatched his bag containing cash, his mobile phone and bike keys and fled away.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Md. Tabish Khan and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused person, namely, Sonu @ Md. Usman, his name has also been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Md. Tabish Khan, has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 09.05.2025 passed in Cr. Misc. No.2569 of 2025 and co-accused person, namely, Mohammad Sajid @ Md. Sajid @ Mohd. Sajid, his name has also been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Md. Tabish Khan, has been granted privilege of anticipatory bail by this Court vide order dated 19.05.2025



passed in Cr. Misc. No.8511 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid, let the petitioner, above named, in the event of his 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 learned Additional Chief Judicial Magistrate-II, Nawada in connection with Pakaribarawan P.S. Case No.456 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:-

(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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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