

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20809 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- TEGHRHA District- Begusarai

1. Daulat Kumar @ Banti Chaudhary @ Banti Kumar Son of Manoj Chaudhary @ Manoj Chaudhary Village -Alapur (Aalapur) Ward no 11 PO- Dhankaul PS- Teghra District -Begusarai
2. Aayush Kumar @ Sudama Kumar @ Sudama Son of Rambabu Rai @ Rambabu Ray @ Ramfal @ Rambabu Chaudhary Village -Alapur (Aalapur) Ward no 11 PO- Dhankaul PS- Teghra District -Begusarai
3. Vivek Kumar @ Bibek Kumar son of Mantun Rai @ Mantun Singh Village -Alapur (Aalapur) Ward no 11 PO- Dhankaul PS- Teghra District -Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-08-2025 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioners and Mr. Bhanu Pratap Singh, learned
Additional Public Prosecutor for the State.

2. In view of the supplementary affidavit filed on
behalf of the petitioner, learned counsel for the petitioner is
allowed to make necessary corrections in the bail application.

3. The petitioners are apprehending their arrest in
connection with Teghra P.S. Case No. 404 of 2024, F.I.R. dated
23.11.2024 for the offences punishable under Sections 126(2),
127(2), 115(2), 121(1), 121(2), 109, 303(2), 263, 62, 352,
351(2), 3(5) of Bharatiya Nyay Sanhita, 2023.



4. According to prosecution case, the informant alleged that when they were taking one accused, namely, Vikram Kumar to the police station, then local people, about 200-250 in number gathered and started creating ruckus. The accused persons abused and assaulted the informant and other police personnel due to which they got injured.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against these petitioners rather there is general and omnibus allegation against them. He further submits that similarly situated co-accused person, namely Piyush Rai @ Shivo @ Piyush @ Piyush Kumar has been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court vide order dated 02.04.2025 in Cr.Misc.No. 15605 of 2025 and other co-accused persons have been granted bail by different co-ordinate Benches of this court.

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

7. Considering the aforesaid facts and circumstances,



petitioners have clean antecedent and there is no specific allegation against these petitioner and similarly situated co-accused persons have been granted the privilege of anticipatory bail by this Court/or co-ordinate Bench of this Court, 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 Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 404 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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