

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17292 of 2025

Arising Out of PS. Case No.-290 Year-2023 Thana- TEKARI District- Gaya

1. Beauti Kumari W/O Akash Kumar @ Akashdeep Kumar Resident of Village- Nishurpur, P.S- Tekari, District- Gaya.
2. Sunny Kumar S/O Vinod Prasad Resident of Village- Nishurpur, P.S- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Sanjeev Kumar, learned counsel for the petitioners and Mr. Braj Kishore Pd., learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Tekari P.S. Case No. 290 of 2023, F.I.R. dated 05.05.2023 registered for the offences punishable under Sections 341, 323, 324, 308, 379, 354, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners are of assaulting the informant and his family members due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioner no. 2 having clean antecedent and petitioner no. 1 carries one more case other than the present one in which she is



on bail in the pending matter and they have been falsely implicated in the present case. He further submits that the present case is counter blast of Tekari P.S. Case No. 268 of 2023 lodged by the side of the petitioners against the informant and his family members. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner no. 1 and there is specific allegation against the petitioner no. 2 but it appears from the F.I.R. that there is no specific allegation of any assault or overt act against this petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner that they have assaulted to the informant and their family members.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation attributed against these petitioners and there is case and counter case between the parties, 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 A.C.J.M. VI, Gaya in connection with Tekari



P.S. Case No. 290 of 2023, 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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