

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17176 of 2025

Arising Out of PS. Case No.-3 Year-2025 Thana- BIRUPUR District- Lakhisarai

Chandan Kumar @ Titu Dhamaka @ Titoo Dhamaka Son of Baban Singh R/o
village - Jaitpur, P.S.- Barahiya, District - Lakhisarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2025 Heard Mr. Bijendra Kumar, learned counsel for the

petitioner and Mr. Rajendra Prasad learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Birupur P.S. Case No. 03 of 2025, F.I.R. dated
13.01.2025 for the offences punishable under Sections 111,
310(4), 310(5) of the BNS, 2023 and Sections 25(1-b) (a), 26
and 35 of the Arms Act.

3. According to prosecution case, the SHO
received secret information that in the house of criminal Prince
Kumar some of the criminals and their syndicate are scheduled
to reach for a party and there is a chance of some unwanted
occurrence and when the informant along with other police
personnel proceeded for necessary action, all persons started



running away and managed to escape but nine live cartridges of 7.62 mm was found.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of suspicion and as per allegation in the F.I.R., the petitioner has fled away from the place of occurrence after throwing nine live cartridges of 7.62 mm and the same was recovered by the police. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and he has been made accused on the basis of his past criminal history. He further submits that the petitioner carries fifteen cases other than the present one but out of fifteen cases, the petitioner has been acquitted in four cases and on nine cases the petitioner has been on bail and three cases are pending for consideration before the appropriate forum.

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

6. Considering the aforesaid facts, the petitioner has been made accused on the basis of suspicion and nothing has come during investigation against the petitioner except the suspicion, 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, Lakhisarai in connection with Birupur P.S. Case No. 03 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 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 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)

Jyoti Kumari/-

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