

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18864 of 2025

Arising Out of PS. Case No.-6761 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Neeraj Kumar @ Neeraj Singh Son of Late Deep Narayan Singh Resident of
Rajeev Nagar, Road No.24, P.S.- Rajeev Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanket Kumar Son of Satishchandra Sharma Resident of Bhelura Rampur,
Post - Nagwan, P.S. - Janipur, District - Patna, at present Nepali Nagar,
Mahavir Colony, Near Manaspuran Hanuman Mandir, P.S. - Rajeev Nagar,
District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2025 Heard Mr. Akhauri Kamal Kishore Sahay, learned

counsel for the petitioner as well as learned counsel for the

complainant and Mr. Raj Kishor, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 6761 (C) of 2022 for the
offences punishable under Sections 323, 384, 427, 454/506, 34
of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, the informant
purchased a land and after constructing a house on the same
they started to live in that house. After sometime, accused



persons threatened the complainant to vacate the land and after some day the accused persons including the petitioner entered into the house of the complainant and started abusing and assaulting him.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the Complainat is false and fabricated and the petitioner has not committed any offences as alleged in the Complaint. From the perusal of the Complaint Petition, it appears that the complainant has not stated the previous date of occurrence as alleged in the Complaint Petition. Apart from that it appears from the Complaint Petition that the petitioner and other co-accused persons have entered the house of the complainant and asked him to vacate the same and on the same set of allegation, the learned Court below has given bail to the accused persons, namely, Gautam Kumar, Neeraj Kumar @ Neeraj Singh and Bangali @ Nikolash Budho Das and the bail petition of the petitioner has been rejected by the learned Court below, merely on the ground that the petitioner carries ten cases. It appears from the Complaint Petition that the complainant alleged that from 2020 till the date of filing of the Complaint Petition, the



petitioner and other co-accused persons have entered the house of the complainant and asked him to vacate the same but the complainant has never filed any Complaint Petition or FIR against the petitioner or other co-accused persons.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries ten cases other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in eight cases and acquitted in two cases.

6. Considering the aforesaid facts and circumstances, 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-I, Patna in connection with Complaint Case No. 6761 (C) of 2022, 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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