

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22437 of 2025

Arising Out of PS. Case No.-228 Year-2023 Thana- CHIRAIYA District- East Champaran

Sudhir Kumar S/o Ramprit Ray R/o Village- Godhiya Tola, P.S.- Lakhaura,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-04-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 399, 402 and 414 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act as well as Sections 8 and 20(b)(ii)(c) of the NDPS Act.

3. Learned counsel for the petitioner submits that petitioner had earlier moved this Court seeking regular bail by filing Cr. Misc. No. 65571 of 2024 and the same was allowed by an order dated 25.10.2024 with a condition that one of the bailors of the petitioner shall be his father and that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the bail order shall not be given effect to.



4. Learned counsel for the petitioner submits that petitioner was completely unaware that he has been implicated in Chiraiya P.S. Case No. 226 of 2023 registered under Section 392 of the Indian Penal Code as the said FIR was instituted against unknown and the petitioner was remanded in the said case vide order dated 20.09.2024 i.e. after filing of Cr. Misc. No. 65571 of 2024. It is further submitted that petitioner could not be released on bail in compliance of the order dated 25.10.2024 in Cr. Misc. No. 65571 of 2024 because of his antecedent, as such, petitioner moved this Court seeking modification of the order dated 25.10.2024 in Cr. Misc. No. 65571 of 2024 by filing Cr. Misc. No. 395 of 2025 and the same was permitted to be withdrawn with liberty to the petitioner to file a fresh bail application clearly stating his antecedent. It is next submitted that in view of the liberty granted to the petitioner by order dated 17.01.2025 in Cr. Misc. No. 395 of 2025, the present bail application has been filed.

5. Learned A.P.P. for the State fairly submits that earlier the petitioner was granted the privilege of bail for reasons recorded in the order dated 25.10.2024 in Cr. Misc. No. 65571 of 2024 but since petitioner had an antecedent, as such, he was not released on bail.



6. Considering the submissions made by the learned counsel for the parties, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with N.D.P.S. G.R. Case No. 43 of 2023 arising out of Chiraiya P.S. Case No. 228 of 2023.

7. One of the bailors of the petitioner shall be his father, namely, Ramprit Ray.

(Satyavrat Verma, J)

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