

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22563 of 2025

Arising Out of PS. Case No.-395 Year-2024 Thana- KEWATI District- Darbhanga

Bipin Kumar Son fo Late Dukhi Yadav Resident of Village- Megha, P.S.-
Keoti, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in a case
instituted for the offences under Sections 126(2), 352, 351(2)
and 3(5) of BNS, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, it has been alleged that
the co-accused, Vikram Kumar along with 5 to 6 persons
including this petitioner came to the house of the informant and
abused and threatened the daughter-in-law of the informant. It is
further alleged that the accused Vikram Kumar went to the plot
situated nearby the house of the informant and fired in air and
the same was captured in the CCTV camera. It is also alleged
that from the CCTV footage it is evident that one more person
was captured by CCTV camera namely Bipin Kumar (the
petitioner).



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and from perusal of the FIR it would be evident that his name has been inserted as an afterthought in the end. It has further been submitted that there is no specific allegation of overt act against the petitioner and no incriminating article has been recovered from his possession. It has been submitted that the name of the petitioner has been given only on account of the personal differences between the petitioner and the informant. It has lastly been submitted that the petitioner has two criminal cases pending against his name in which he is on bail.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of learned counsel for the respective parties and taking into account the fact that no specific overt act has been alleged against the petitioner, let the petitioner, above named, be enlarged on bail, in the event of his arrest or surrender before the Court below within a period of six weeks upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending /concerned court, in connection with Keoti P.S.



Case No. 395 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner except six criminal antecedents and in case at any stage it is found that the petitioner has concealed his criminal antecedent except six criminal antecedents, 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 the same or in the name of verification.



7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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