

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22634 of 2025

Arising out of PS. Case No.-118 Year-2024 Thana- SAHIYARA District- Sitamarhi

Santosh Singh @ Santosh Kumar Singh, S/o Late Nawal Kishor Singh, R/o
Village- Baduri, P.S- Sahiyara, Dist.- Sitamarhi. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s: Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with S.Tr.
No. 17 of 2025 arising out of Sahiyara P.S. Case No. 118 of
2024 dated 13.09.2024 instituted for the offences under Sections
191(3), 191(2), 190, 329(3), 126(2), 115(2), 75, 76, 103(1), 352,
351 (2) and 351 (3) of Bhartiya Nyay Sanhita (BNS), 2023. He
has no criminal antecedent.

3. As per the FIR the allegation against the petitioner
is that he was a member of the mob and other accused persons
are said to have assaulted the informant and parents of the infor-
mant.

4. Learned counsel for the petitioner submits that
from bare perusal of the FIR it is evident that there is specific
allegation of assault made upon the other co-accused persons.
As far as the petitioner is concerned, he is said to be among the



member of the mob and no specific allegation of overt act has been levelled against the petitioner. Learned counsel for the petitioner further submits that the petitioner is innocent and has falsely been implicated in a case where all the family members including ladies were named by the informant. It is lastly submitted by learned counsel for the petitioner that the petitioner is having clean antecedent and is in custody since 14.09.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that there is allegation upon the petitioner to be a member of the mob who had assaulted the informant and parents of the informant.

6. Considering the aforesaid submissions of respective counsel and taking into account that there is no specific allegation of overt act against the petitioner and the petitioner is having clean antecedent and is in custody since 14.09.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II, Sitamarhi in connection with S.Tr. No. 17 of 2025 arising out of Sahiyara P.S. Case No. 118 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 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 the same or in the name of verification.

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(Sourendra Pandey, J)

