

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27295 of 2025

Arising Out of PS. Case No.-164 Year-2022 Thana- CHAPRA TOWN District- Saran

1. Deepak Kumar S/o Late Shambhu Prasad R/o Village- MISSION Road Dahiyawan Narayan Chowk, P.S.- Town Chapra, District- Saran at Chapra
2. Kundan Kumar S/o Late Shambhu Prasad R/o Village- MISSION Road Dahiyawan Narayan Chowk, P.S.- Town Chapra, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Barnwal, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 22-07-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code and subsequently added Section 302 of the Indian Penal Code.

3. The allegation in the FIR is that the accused persons had demanded Gutakha from the informant. On refusal from the informant as he did not sell the same, the co-accused Vinod Kumar caught collar of the informant and co-accused Chandan Kumar gave knife blow to the informant upon his neck which hit him near his waist.



4. Learned counsel for the petitioners submits that it would be apparent from the first information report itself that the petitioners are not named in the FIR and the FIR is specific with regard to co-accused Chandan Kumar and Vinod Kumar with specific allegation of giving a knife blow upon Chandan Kumar. Subsequently, during the course of investigation, the petitioners have also been made accused along with other co-accused persons. However, no specific allegation has been attributed. No motive has also been shown as against the present petitioners and no concrete substantial material has been collected. The petitioners have got no criminal antecedent.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering the rival contentions and also considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chapra Town P.S. Case No. 164 of 2022, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions that:

(i) The petitioners shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(iii) the petitioners would appear before the Investigating Officer of the concerned police station at an interval of every 15 days till the conclusion of the investigation.

(Soni Shrivastava, J)

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