

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26425 of 2025

Arising Out of PS. Case No.-478 Year-2024 Thana- HARSIDHI District- East Champaran

1. Arjun Kumar S/O Pundeo Ram R/O Village- Laukaria, P.S- Harsidhi, Distt.- East Champaran.
2. Pundeo Ram S/O Yogi Ram R/O Village- Laukaria, P.S- Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Kumar Sinha, Advocate Mr. Sandeep Kumar, Advocate Ms. Ankita Tripathi, Advocate
For the State	:	Mr. Parmanand Prasad, A.P.P.
For the Informant	:	Mr. Sarvesh Kashyap, Advocate Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Mr. Avinash Kumar Sinha, learned counsel for the petitioners, Mr. Sarvesh Kashyap, learned counsel for the informant and Mr. Parmanand Prasad, learned Additional Public Prosecutor for the State.

2. Petitioners are apprehending their arrest in connection with Harsidhi P.S. Case No. 478 of 2024, F.I.R. dated 07.09.2024 for the offences punishable under Sections 103, 61(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, the informant alleges that petitioners alongwith other co-accused persons have allured and tricked the son of the informant.



4. Learned counsel for the petitioners submit that petitioners have clean antecedents and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that the informant is not the eye witness of the alleged occurrence and even no one has seen the alleged occurrence and merely on the basis of suspicion the name of the petitioners have transpired in the present case and except the suspicion, no other cogent material has come during investigation against the petitioners to suggest the involvement of the petitioners in the present occurrence and the petitioners have been accused merely on the ground that petitioners are friend of the co-accused, Arun Kumar and similarly situated co-accused, namely, Lalita Devi has been granted anticipatory bail by this Court vide order dated 10.07.2025 passed in Cr. Misc. No. 26614 of 2025.

5. The learned Additional Public Prosecutor for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners were involved in the present crime in question.

6. Considering the aforesaid facts and circumstances,



petitioners have clean antecedent and the co-accused person, namely, Lalita Devi has been granted anticipatory bail by this Court, let petitioners, above named, in the event of their 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, East Champaran in connection with Harsidhi P.S. Case No. 478 of 2024,, 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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