

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23792 of 2025

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

Amaresh Kumar @ Amresh Kumar S/o Vinda Ram R/o Village- Laukariya,
P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-06-2025 Heard Mr. Shakil Ahmad Khan, learned counsel for
the petitioner and Mr. Tapeswar Sharma, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his 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), 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the petitioner along with other co-accused persons have killed his son.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. The allegation as alleged in the FIR is false and the petitioner



has not committed any offences as alleged in the F.I.R. and nothing has come during investigation except the suspicion against the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner but fairly submits that no material has come during investigation which suggest the involvement of the petitioner in the present crime in question and apart from that informant is not the eye witness of the present occurrence.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and except the suspicion, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of 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 J.M. 1st Class, East Champaran at Motihari 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 / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and



with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 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 bond 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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