

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26315 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Suraj Kumar @ Suraj Tanti Son of Dinesh Tanti R/o vill.- Khanjahapur, Ward No.- 4, P.S.- Cheriabariyarpur, Dist.- Begusarai
 2. Dhiraj Kumar @ Dhiraj Kumar Pandit Son of Raj Kumar Pandit R/o vill.- Khanjahapur, Ward No.- 4, P.S.- Cheriabariyarpur, Dist.- Begusarai

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the State : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Cheriabariyarpur P.S. Case No. 161 of 2024 registered for the offences punishable under Sections 115(2), 117(2) of BNS and Section 25(1)(a) of the Arms Act.

3. As per prosecution case, on 02.09.2024 the informant received information that a video has become viral in



which 5-6 boys of village Khanjahanpur are beating a boy with weapon making him naked. Thereafter, informant along with other police officials reached there and apprehended a boy who disclosed his name as Sujit Paswan whose involvement is found in viral video and photo. It is further alleged that informant searched the house of apprehended co-accused Sujit Paswan and a mobile phone was seized from possession of said Sujit Paswan in which objectionable photographs were found kept in phone gallery. Apprehended co-accused Sujit Paswan disclosed the name of petitioners and other.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. It is further submitted that very vague information has been taken into account and FIR has been lodged on the basis of statement of co-accused Sujit Paswan which is quite absurd. The source of information has not been mentioned with regard to viral video. Except disclosure of apprehended co-accused Sujit Paswan, there is nothing on record to connect the present petitioners with the alleged occurrence. No incriminating article has been recovered from possession of the petitioners. He further submits



that only on the basis of viral video and photo, petitioners cannot be made accused in the present case. The prosecution story is quite vague as source of information has not been revealed in the FIR. In the light of aforesaid facts and circumstances of the case, no offence, as alleged in the FIR, is made out against the petitioners.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are named in the FIR and they cannot escape from the allegation made in the FIR and hence, they do not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 learned Additional Chief Judicial Magistrate, Manjhaul (Begusarai) in connection with Cheriabariyarpur P.S. Case No. 161 of 2024, subject to the



conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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