

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30557 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Prince Kumar S/o Anil Prasad Resident of Village- Vaishya Toli, Marhawra,
Police Station- Marhawra, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2025 Heard Mr. Nilendu Kumar Choudhary, learned
counsel for the petitioner and Mr. Yogendra Kumar, learned APP
for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 23 of 2025, F.I.R. dated 13.01.2025 registered for the offences punishable under Sections 316(2)/318(4)/303(2)/352/351(2)/3(5) of the B.N.S. 2023).

3. The prosecution case, in brief, is that the informant Mukesh Kumar Shukla who resides in Bangalore and at his house his mother and two sons used to live. On 09.12.2024 one Prince Kumar who is tenant of the neighbour namely Rajesh Ray took away different ornaments i.e. Tikka, Nathia, Har, Sikdi, ring, jhumka, kangan, payal etc. by cajoling his elder son



Harshit Shukla. It is further alleged that his son informed him that Prince has cajoled him and when the informant went to the house of Prince Kumar one Anil Prasad and the mother of Prince started abusing and assaulted him.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that the informant has stated that the date of occurrence as alleged in the F.I.R. is 09.12.2024 but the present F.I.R. was instituted on 13.01.2025 after delay of more than one month without giving any explanation of delay and apart from that it appears that no one has seen the present occurrence and merely on the basis of suspicion, the petitioner has been falsely implicated in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the F.I.R. was instituted after more than one month on the basis of suspicion, let the petitioner, above named, in the event of his



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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran, Chapra in connection with Muffasil P.S. Case No. 23 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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