

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30552 of 2025

Arising Out of PS. Case No.-341 Year-2024 Thana- UJIYARPUR District- Samastipur

Pradeep Kumar Singh S/O Late Surya Narayan Singh Resident of Village-
Shahbajpur, Kakarghati Chowk, P.O.- Ghatho, PS- Ujiyarpur, Dist.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2025 Heard Mr. Amit Kumar, learned counsel for the

petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned

APP for the State.

2. The petitioner is apprehending his arrest in
connection with Ujiyarpur P.S. Case No. 341 of 2024, F.I.R.
dated 20.12.2024 registered for the offences punishable under
Sections 303(2) of the B.N.S..

3. The case relates to theft of 48 pieces of two banks
of 300 AH + 300 AH batteries of EXIDE company.

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. In fact, the petitioner is the owner of the land in question and petitioner has executed an agreement with Bharti Infratel Limited and the Bharti Infratel Limited has established a tower of the Company. Learned counsel for the petitioner submits that in fact earlier the petitioner was the care taker of the site in question but in the year 2022 the petitioner has resigned from the post in question. Thereafter, the Bharti Infratel Limited has introduced the Indus Company for maintenance of the site in question and it appears from the averment made in the F.I.R. the petitioner had informed the informant about the present occurrence and on the basis of information furnished by the petitioner, the present F.I.R. was instituted by the informant. Learned counsel for the petitioner submits that in fact the petitioner had filed a case against the Indus Tower Limited, Patna for his backwages (Annexure-4) on the sole ground 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 due to previous dispute the informant has falsely implicated the



petitioner in the present case and although the petitioner is owner of the land in question, 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 S.D.J.M. Samastipur in connection with Ujiyarpur P.S. Case No. 341 of 2024, 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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