

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33623 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- BOCHAHAN District- Muzaffarpur

Akshay Kumar Son of Ashok Paswan Village- Gharwara PS -Bochaha Distt
-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the State : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2025 Heard Mr. Deovind Kumar Singh, learned counsel for

the petitioner and Mr. Abhay Kumar Roy, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Bochaha P.S. Case No. 64 of 2024, F.I.R. dated
15.03.2024 registered for the offences punishable under Sections
147, 148, 149, 341, 323, 324, 307, 353, 504, 506 of the Indian
Penal Code.

3. Allegation against the petitioner is that he along
with other co-accused persons attacked upon the police
personnel.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. As per allegation in the F.I.R.,



when the police personnel came at the door of one Babloo Paswan, the petitioner and other co-accused persons attacked upon the police personnel. 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. Although, the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and injury report of the informant suggests that the injury is simple in nature.

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 there is no specific allegation of any assault or overt act against the petitioner, 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 A.C.J.M. 14, East, Muzaffarpur in connection with Bochaha P.S. Case No. 64 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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