

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35617 of 2025

Arising Out of PS. Case No.-134 Year-2023 Thana- NADI P.S. District- Patna

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1. Pramod Kumar @ Pramod Rai S/o- Late Rajendra Rai village- Jethuli PS- Nadi, Dist- Patna
 2. Kundan Kumar S/o- Sikandar Rai village- Jethuli PS- Nadi, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Dharendra Kumar Sinha, learned counsel
for the petitioners and Mr. Syed Mojibur Rahman, learned APP for
the State.

2. The petitioners are apprehending their arrest in
connection with Nadi P.S. Case No. 134 of 2023, F.I.R. dated
12.04.2023 registered for the offences punishable under Sections
147, 149, 341, 323, 379, 354, 504 and 506 of the Indian Penal
Code.

3. Allegation against the petitioners is that they along
with other co-accused persons have assaulted the informant due
to which she sustained injuries and also took away a chain, earring
and a purse contained Rs. 10,000/-.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in



the present case. He further submits that it appears from the F.I.R. that although the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and from perusal of the impugned order it appears that co-accused person namely Deepak Kumar has been granted the privilege of anticipatory by the learned Court below itself and the prayer of anticipatory bail of the petitioners namely, Pramod Kumar @ Pramod Rai and Kundan Kumar have been refused on the ground that the petitioners have criminal antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that the petitioner no. 1, namely, Pramod Kumar carries two more cases other than the present one and petitioner no. 2, namely, Kundan Kumar carries one more case other than the present one but fairly submit on the basis of paragraph-3 of the bail petition that the petitioner nos. 1 and 2 are on bail in the pending matters.

6. Considering the aforesaid facts and circumstances of the case that there is no specific allegation against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and co-accused Deepak Kumar has been granted the privilege of anticipatory bail



by the learned Court below itself , let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City, Patna in connection with Nadi P.S. Case No. 134 of 2023, 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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