

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33667 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- KOCHAS District- Rohtas

Diwakar Singh S/o Brikesh Singh R/o Village- Chawari, P.S.- Kochas,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shakshi Deep, Advocate
For the State : Mr. Madan Kumar, APP
For the Informant : Mr. Arun Kumar Mandal, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 This matter has been heard through video conferencing.

2. In this case Ms. Shakshi Deep, learned counsel for the petitioner, Mr. Madan Kumar, learned APP for the State are present in the Court, while Mr. Arun Kumar Mandal, learned counsel for the informant is appearing through virtual mode.

3. The petitioner is apprehending his arrest in connection with Kochas P.S. Case No. 358 of 2024 for the offence under sections 109(1), 191(2), 19(3), 190, 126(2), 115(2), 127(2), 352 of the B.N.S. and section 27 of the Arms Act lodged on 08.12.2024 by the informant, Asha Kunwar.

4. As per the prosecution story, the informant alleged that on 07.12.2024, her son was harvesting paddy crops when the



accused persons assembled and opened fire which did not hit, thereafter, Amar Nath Gautam assaulted with rod on the head of her son, he became injured, this followed the assault by others. This led to the FIR.

5. Learned counsel for the petitioner submits that specific allegation is against Amar Nath Gautam, so far as this petitioner is concerned, the allegation is general and omnibus, the injury has been found to be simple in nature, in any case, without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- to the informant.

6. Learned APP and learned counsel for the informant opposes the prayer submitting that this petitioner has criminal antecedent and the habit of creating trouble to the informant's side.

7. Taking into account the submissions of the parties as also that the injury has been found to be simple in nature, mainly it is attributed to Amar Nath Gautam, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs.10,000/- (Rupees Ten Thousand) to the informant, Asha Kunwar, by way of Demand Draft issued by the local State



Bank of India through the Trial Court after checking her credentials.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M., 1st Class-cum- Additional Munsif-I, Sasaram, Rohtas, in connection with Kochas P.S. Case No.358 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

anand/-

U		T	
---	--	---	--

