

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34960 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- BHEJA District- Madhubani

Shashi Kumar Singh @ Bholu Singh Son of Kishor Kumar Singh @ Pakori
Singh Resident of Village - Bhawanipur, P.S.- Bheja, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-08-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. learned counsel for the petitioner prior to his
argument submits that some irrelevant material has come in
paragraph 14 of the bail petition. As such, he seeks permission
to delete the same.

3. Permission granted in course of the day.

4. The present Criminal Miscellaneous Application
has been filed under Section 482 of The Bharatiya Nagarik
Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS,
2023") for grant of anticipatory bail to the petitioner who
apprehends his arrest in connection with Bheja P.S. Case No. 35
of 2024 lodged on 08.05.2024, for the offences punishable
under Sections 448, 376, 511, 341, 323, 379, 504, 506/34 of the



IPC.

5. As per the prosecution, FIR has been lodged against 6 named accused persons including the present petitioner with allegation that they have entered in the house of the informant at about 1 PM and tried to outrage her modesty and thereafter, abuses and snatched the golden chain amounting Rs.65,000/-.

6. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that from the FIR itself, the occurrence is of 24.04.2024 whereas the FIR has been lodged on 08.05.2024 that is delay of about 14-15 days.

7. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one criminal case pending against him in which he is on bail. He further submits that the cause of filing criminal case by the informant is otherwise. He further submits that petitioner's side has lodged 2 criminal cases against the brother-in-law (bhai-sur of the informant) in which petitioner is a witness. Those cases are Bheja P.S. Case No.28 of 2019 and Bheja P.S. Case no.46 of 2019.

8. Counsel further submits that the informant's side used to create pressure upon the petitioner not to depose his offence in those 2 criminal cases when petitioner was not ready



for the same. Thereafter, with a view to create pressure, a false case has been lodged against him. He further submits that medical examination was not made and on the point of medical examination, the informant was refused.

9. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in the pleading, it transpires that there are two criminal cases filed by the petitioner's side in which he was alleged to be the witness.

10. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Addl. Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Bheja P.S. Case No. 35 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Prakashmani/-

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