

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39801 of 2025

Arising Out of PS. Case No.-820 Year-2022 Thana- FATUA District- Patna

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Sanoj Kumar S/o British Yadav R/o Village- Vikrampur, Police Station-
Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate
For the State : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Fatuha P.S. Case No. 820 of 2022, dated
10.11.2022, registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. Prior to the present petition, petitioner has earlier
preferred Cr. Misc. No. 54023 of 2023 for anticipatory bail.
However, same was rejected by the Co-ordinate Bench of this
Court vide order dated 12.12.2023 on merit. Thereafter
petitioner moved before Hon'ble Supreme Court by way of
S.L.P. However, same was dismissed by Hon'ble Apex Court.

4. However, learned counsel for the petitioner submits



that this second anticipatory bail petition before this Court has been filed on the basis of new situation. Explaining the new situation, he submits that subsequently one application dated 16.02.2024 has been filed by informant in the Court of Additional Chief Judicial Magistrate-Ist., Patna City in Fatuha P.S. Case No. 820 of 2022 whereby the informant has stated that the petitioner was not involved in the alleged offence. At the time of lodging F.I.R., he has given the name of petitioner in the F.I.R. only on the basis of hearsay, but subsequently he came to know that petitioner was not involved and offence has been committed by someone else. A copy of the said application is filed along with the present petition.

5. Learned counsel for the petitioner further submits that in view of such application filed by the informant in the Court of learned Additional Chief Judicial Magistrate-Ist., Patna City, the prosecution case against the petitioner falls on the ground. He further submits that petitioner has no criminal antecedent.

6. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

7. In view of the application dated 16.02.2024 filed by the informant in the Court of learned Additional Chief Judicial



Magistrate-Ist., Patna City, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Fatuha P.S. Case No. 820 of 2022, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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