

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40507 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- TEGHRHA District- Begusarai

Neeraj Kumar @ Niraj Kumar S/O- Dayanand Ray Village- Daniyalpur
Pokhar Par Ps- Teghra Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mr. Subhesh Pandey, learned counsel for the

petitioner and Mr. Anuj Kumar Shrivastava, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Teghra P.S.Case No.34 of 2025, FIR dated 12.02.2025 registered for the offences punishable under Sections 109, 352 of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner alongwith other co-accused persons came on two motorcycles at the dera of the informant and one of co-accused persons, namely, Rajkishore Kumar, fired gunshot upon the informant which hit on the thigh of his left leg.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case.



Further submits that although the petitioner is named in the FIR, but from a bare perusal of the FIR, it appears that the specific allegation of firing is attributed against co-accused person, namely, Rajkishore Kumar. Although the petitioner was present at the place of occurrence, but there is no accusation against the petitioner.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries five criminal antecedents other than the present case, but fairly submits, on the basis of paragraph 3 of the bail petition, the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and the fact that there is no specific allegation of any assault, overt act or firing attributed against the petitioner and specific allegation of firing is attributed against co-accused person, namely, Rajkishore Kumar, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Teghra P.S. Case No.34 of



2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/under Section 482(2) of the B.N.S.S., 2023 and with other following conditions:-

(I) 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 bonds shall be cancelled by the Court below.

(II) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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 antecedents, 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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