

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40036 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- SAKRA District- Muzaffarpur

1. Sachin Kumar S/o- Tuntun Rai @ Vijay Kumar Yadav Resident of Village- Mishrauliya PS- Sakra, Dist- Muzaffarpur
2. Deepak Kumar @ Deepak Kushwaha @ Deepak Kumar Kushwaha S/o- Vinod Mahto Resident of Village- Malpar PS- Sakra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Sheo Kumar Prasad, learned counsel for the petitioners and Mr. Mukesh Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Sakra P.S. Case No. 53 of 2025, F.I.R. dated 06.02.2025 registered for the offences punishable under Sections 126(2), 191(2), 115, 118(1), 109, 3(5) of the B.N.S.

3. Allegation against the petitioners is that they along with other co-accused persons having armed with various weapons came to the house of the informant and started beating him. When the informant's wife came to rescue then all the accused persons badly beat her and disrobed her. They also beat



Upendra Rai and Navin Kumar and when the villagers started gathering then all the accused persons fled away.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case and due to some petty dispute, the present occurrence had taken place. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that although the petitioners are named in the F.I.R. and it also appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners, 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, Muzaffarpur in connection with Sakra P.S. Case No. 53 of 2025, 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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