

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40497 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- TEGHRHA District- Begusarai

Piyush Kumar @ Bhola Kumar Son of Ram Babu Ray @ Ramphal R/o
Village Alapur, Ward no 11, PS Teghra District Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Sandip Kumar Gautam, learned counsel for
the petitioner and Mr. Arun Kumar Pandey, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Teghra P.S.Case No.404 of 2024, FIR dated 23.11.2024 registered for the offences punishable under Section 126(2), 127(2), 115(2), 121(1), 121(2), 109, 303(2), 263, 62, 352, 351(2), 3(5) of the B.N.S., 2023.

3. As per the prosecution case, ten F.I.R. named accused persons along with 200-250 unknown local persons to save and to make free the apprehended accused abused and assaulted the police personnel.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and from a bare perusal of the FIR, it appears that there is no specific allegation of any assault



or overt act attributed against any of the accused persons. Further submits that the similarly situated co-accused persons, namely, Piyush Rai, Divyanshu Kumar, Sunil Kumar have been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 02.04.2025 and 20.05.2025 passed in Cr. Misc. No.15605 of 2025 and Cr. Misc. No.32811 of 2025 respectively.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and the fact that petitioner is not named in the FIR, there is no specific allegation of any assault or overt act attributed against the petitioner and the similarly situated co-accused persons have been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court, 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 Chief Judicial Magistrate, Begusarai, in connection with Teghra P.S.Case No.404 of 2024, 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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