

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40003 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- BARHARIA District- Siwan

1. Mukul Pasi @ Nakul Pasi Son of Krishan Pasi R/o Vill- Nabiganj Jhakhadi Hatta, P.S Barharia, Distt. Siwan
2. Sandeep Sah Son of Raghuveer Prasad R/o Vill- Nabiganj Jhakhadi Hatta, P.S Barharia, Distt. Siwan
3. Sonu Sah Son of Chhatu Sah R/o Vill- Nabiganj Jhakhadi Hatta, P.S Barharia, Distt. Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Ramchandra Sahni, learned counsel for the
petitioners and Mr. Rajiv Nayan, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Barharia P.S. Case No. 33 of 2025, F.I.R. dated 17.01.2025 registered for the offences punishable under Sections 109/352/3(5) of the B.N.S. and Section 27 of the Arms Act.

3. Allegation against the petitioner is that they along with other co-accused persons came at the house of the informant's brother and started abusing and upon protest firing was made at his brother by the accused persons due to which he fell down and sustained injuries.

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 although the petitioners are named in the F.I.R. but from perusal of the F.I.R. it 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 Chief Judicial Magistrate, Siwan in connection with Barharia P.S. Case No. 33 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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