

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44446 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- NAYAGAON District- Begusarai

Himanshu Kumar S/O Rajesh Kumar Singh @ Rajesh Kumar R/O Vill.-
Mahendrapur, Mahindarpur, P.s.- Nayagaon, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-08-2025 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioner and Mr. Syed Ehteshamuddin, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.03.2025 in connection with Nayagaon P.S. Case No. 70 of
2024, F.I.R. dated 07.09.2024 for the offences punishable under
Sections 126(2), 115(2), 118(1), 352, 351(2), 109, 303(2), 3(5) of
the B.N.S., 2023 and 27 of the Arms Act.

3. According to prosecution case, the petitioner along
with other co-accused persons is said to have assaulted the
informant and his son and also snatched Rs. 49,700/- from the
informant's pocket. The petitioner is alleged to have fired upon the
informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been implicated
in the present case. He further submits that the allegation as



alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that statement of the injured persons was recorded and they have not supported the prosecution case. It is further submitted that co-accused person, namely, Rajesh Kumar Singh @ Rajesh Kumar, against whom there is allegation of snatching Rs. 49,700/- from the informant, has been granted privilege of anticipatory bail by this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 89328 of 2024. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 09.03.2025.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner but fairly submits that the injured persons have not supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent, co-accused person has been granted privilege of anticipatory bail by this Court and the injured persons have not supported the prosecution case, let the petitioner, above named, 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 the learned J.M., Begusarai in connection with Nayagaon P.S. Case No. 70 of 2024, subject to the 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 bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 antecedent, 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)

priyanka/-

U		T	
---	--	---	--

