

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42310 of 2025

Arising Out of PS. Case No.-120 Year-2022 Thana- KASMA District- Aurangabad

1. Suman Kumar S/o Anand Yadav Village- Baksi Bigha, PS- Kasma, District- Aurangabad
2. Pinki Kumari @ Pinki Devi D/o Anand Yadav Village- Baksi Bigha, PS- Kasma, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-07-2025 Heard Mr. Bhaskar Shankar, learned counsel for the petitioners and Mr. Ram Priya Sharan Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kasma P.S. Case No. 120 of 2022, F.I.R. dated 10.09.2022 for the offences punishable under Sections 302, 307, 341, 323, 504, 337 and 34 of the Indian Penal Code.

3. According to prosecution case, due to some land dispute, these petitioners along with other accused persons have brutally assaulted the informant and his mother and uncle which resulted into the death of the informant's uncle.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the F.I.R but the police after investigation have submitted final form in favour of the petitioners and thereafter, learned Court below in a mechanical manner has taken cognizance against these petitioners vide order dated 19.11.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the police after investigation have submitted final form in favour of the petitioners and thereafter, learned Court below has taken cognizance against these petitioners, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Kasma P.S. Case No. 120 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of



the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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