

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41550 of 2025

Arising Out of PS. Case No.-474 Year-2022 Thana- PUNPUN District- Patna

Tallu Kumar, Son of All India R/O Village- Sonth, P.S.- Karaiparsuray,
District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Punpun P.S. Case No. 474 of 2022 dated 13.12.2022 instituted for the offence punishable under Sections 395 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, when the informant was taking care of his paddy crops as usual, 4-5 persons entered into his hut and started assaulting him with legs and fists as well as with butt of pistol and they also tied his hand and leg. It is alleged that they took away total 270 bags Mansoori Paddy kept in his khalihan on a pickup van.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. Only on the basis of confessional statement of co-accused, Sachin Kumar @ Ghanti, the petitioner has been made accused in this case. Nothing has been recovered either from the conscious possession of the petitioner or from his house. Lastly, it has been submitted that petitioner has four criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Punpun P.S. Case No. 474 of 2022, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaurhi, Patna subject to condition as laid down under Section 482(2) of the B.N.S.S, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



- 2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- 3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- 4. 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.
- 5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge in this case.

(Khatim Reza, J)

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