

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42054 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- KALYANPUR District- Samastipur

FEKAN @ AMIT @ AMIT KUMAR S/o- LATE UPENDRA RAI Resident
of Village- Bhuskaul Police Station- Chakmehsi District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 09-07-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 103(2) and 190 of the
BNS, 2023.

3. Learned counsel for the petitioner submits that similarly
situated co-accused Md. Hamid had approached this Court seeking
anticipatory bail by filing Cr. Misc. No. 42046/2025 and the same
was allowed by an order dated 09.07.2025 with certain conditions. It
is submitted that the name of this petitioner also transpired in the
confessional statement of Abhinav in murder of Bittu. It is next
submitted that petitioner will not abscond rather will cooperate in the
investigation to prove his innocence.

4. Learned A.P.P. for the State opposes the prayer for
anticipatory bail of the petitioner.

5. Considering the submissions made by the learned
counsel for the petitioner and taking into consideration the order
dated 09.07.2025 in Cr. Misc. No.42046/2025, the petitioner above-



named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kalyanpur P.S. Case No.215/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailors of the petitioner shall be his mother, namely, Usha Devi.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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