

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42496 of 2025

Arising Out of PS. Case No.-99 Year-2017 Thana- Kawaiya District- Lakhisarai

1. Vishundev Saw @ Vishundev Prasad @ Vishundev Pd. Saw S/o Late Krishna Prasad Saw Resident of village- Naya Bazar, Dalpatti, Gopal Bhandar Gali, P.S.- Kabaiya, District- Lakhisarai
2. Vivek Kumar @ Vivek Raj S/o Vishundev Saw @ Vishundev Prasad Resident of village- Naya Bazar, Dalpatti, Gopal Bhandar Gali, P.S.- Kabaiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Adv. Mrs. Rupa Sinha, Adv.
For the Opposite Party/s	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Halsi Lakhisarai/ Kabaiya P.S. Case No.99 of 2017, for the offences punishable under Sections 147, 148, 149, 323, 307, 384, 379 and 504 of the IPC.

3. As per the prosecution, FIR has been lodged against 6 named accused persons including the present petitioners with allegation that all accused persons with duly illegal arms came and started abusing the informant and demanded ransom of Rs.1 lac and looted the cash money.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that after investigation, police had found no case against the present petitioners and therefore, they were not send-up for trial. He further submits that final form has been submitted vide Annexure-2 of the bail petition. He further submits that the Chief Judicial Magistrate has pleased to take cognizance against the present petitioners also and issued summon. It is a specific case of the petitioners that summons were never been served upon petitioners and when they received knowledge for issuance of warrant, they moved before this Court for anticipatory bail.

5. Counsel submits that the criminal antecedent of the petitioners is clean. He further submits that other co-accused persons have been granted bail vide Co-ordinate Bench of this Court vide order dated 21.08.2017 passed in Cr. Misc. No.29582 of 2017.

6. Learned APP for the State opposes the prayer for bail of the petitioners.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate-1st class, Lakhisarai, in connection with Halsi Lakhisarai/ Kabaiya P.S. Case No.99 of 2017, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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