

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44260 of 2025

Arising Out of PS. Case No.-410 Year-2022 Thana- RAXAUL District- East Champaran

SURAT KUMAR S/O- BHARAT SAH Resident of Village-Nayak Tola, P.S.-
Harpur (Adapur) District-East Champaran,Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	:	Mr. Deepak Kumar, Advocate
	:	Mr. Dhandev Kumar, Advocate
	:	Mr. Atul Kumar, Advocate
	:	Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s	:	Mrs. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2025 Heard Mr. Sharda Nand Mishra, learned counsel for

the petitioner as well as Mrs. Sucheta Yadav, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.05.2025 in connection with Raxaul P.S. Case No. 410 of
2022, F.I.R. dated 21.08.2022 for the offences punishable under
Sections 413 and 414 of the Indian Penal Code.

3. Earlier the bail application of the petitioner was
rejected vide order dated 16.03.2023 in Cr. Misc. No. 63413 of
2022 but bail bond of the petitioner was cancelled by order
dated 25.07.2024 on the ground that the petitioner has not
appeared before the learned trial Court since 22.11.2023. The



petitioner voluntarily surrendered before the learned Court on 29.05.2025.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R.

5. The learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, 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 Additional & Sessions Judge-III, East Champaran, Motihari in connection with Raxaul P.S. Case No. 410 of 2022, 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)

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