

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48343 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- HASANPUR District- Samastipur

1. Deepak Kumar Roy @ Deepak Roy Son of Ram Kinkar Roy Resident of village - Deodha, P.S.- Hasanpur, District - Samastipur
2. Ram Shankar Roy Son of Late Narayan Roy Resident of village - Deodha, P.S.- Hasanpur, District - Samastipur
3. Gopal Yadav Son of Buchchi Yadav Resident of village - Bela, P.S.- Hasanpur, District - Samastipur
4. Jogendra Singh @ Mintu Singh Son of Murlidhar Singh Resident of village - Korjana, P.S.- Cheriabariarpur, District - Begusarai
5. Raunak Kumar Son of Jogendra Singh Resident of village - Korjana, P.S.- Cheriabariarpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sujeet Kumar, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP
For the Informant	:	Ms. Pampy Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Sujeet Kumar, learned counsel for the petitioners, Ms. Pampy Kumari, learned counsel for the informant and Mr. Harendra Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hasanpur P.S. Case No. 160 of 2024, F.I.R. dated 29.12.2024 for the offences punishable under Sections 126(2), 115(2), 352, 305(a), 109(1), 331(2), 117(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.



3. According to prosecution case, petitioners are alleged to have assaulted the informant and her family members and also taken away ornaments and Rs. 30,000/- from her.

4. Learned counsel for the petitioners submits that petitioners have 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. It appears from the FIR itself that date of occurrence as alleged in the FIR is 09.11.2024 but the present FIR has been instituted on 29.12.2024 and before filing of the present FIR, the informant, namely, Ram Mani Ray has also filed a complaint petition bearing Complaint Case No. 817 of 2024 in the Court of learned Additional Chief Judicial Magistrate, Rosera. From a bare perusal of the complaint petition as well as the FIR, it appears that both the versions are different. Apart from that, one title suit is going on between the parties bearing Title Suit No. 214 of 2017, which suggests that afterthought the informant has filed the complaint case as well as the present FIR only to falsely implicate the petitioner.

5. The counsel for the informant as well as learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners



are named in the FIR and it appear from the FIR itself that there is direct specific allegation is attributed against these petitioners. Apart from that, Petitioner Nos. 2 and 5 having clean antecedent but Petitioner No. 1 having five criminal antecedents, Petitioner No. 3 having one criminal antecedent and Petitioner No. 4 having two criminal antecedents other than the present one but fairly submits that they are on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their 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 Additional Chief Judicial Magistrate, II, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 160 of 2024, 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 his absence on two consecutive dates without sufficient reason, his 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)

saurovkrishna/-

U		T	
---	--	---	--

