

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45560 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- RAGHOPUR District- Supaul

Dev Kumar @ Dev Kumar Sardar S/o Sri Krishna Dev Sardar R/o Village-
Bhaiyaram Chakla, Ward no 14, Panchayat- Dubiyahi, P.S.- Raghapur,
District- Supaul, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-07-2025 Heard Mr.Amrit Abhijat, learned counsel for the

petitioner and Ms.Pushpa Sinha, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Raghapur P.S. Case No.199 of 2024, FIR
dated 11.06.2024 registered for the offences punishable
under Sections 147,148,149,341,323,324,307,504,379 of
IPC.

3. Allegation against the petitioner is that he
alongwith other co-accused persons assaulted to the brother
of the informant, namely, Rajendra Yadav.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and some of the co-accused persons, namely, Indra Kumar and Sundar Kumar, who have assaulted to the brother of the informant and so far allegation against the petitioner is concerned that he alongwith other co-accused persons have assaulted to Rajendra Yadav, who happens to be the brother of the informant. Although he has received the injury but the injury report of the brother of the informant suggests that the injury is simple in nature caused by the hard and blunt substance and apart from that, there is case and counter case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and the



injury inflicted upon the injured person is simple in nature, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur in connection with Raghopur P.S. Case No.199 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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