

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48355 of 2025

Arising Out of PS. Case No.-965 Year-2024 Thana- SHASTRINAGAR District- Patna

Devendra Kumar @ Kumar Devendra @ Chhote S/O Sanjay Kumar @
Sanjay Kumar Singh R/O-Digha, PS- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Anurag Saurav, learned counsel for the

petitioner and Mr. Gauri Shankar Gupta, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shashtri Nagar P.S. Case No. 965 of 2024, F.I.R. dated 14.12.2024 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, petitioner along with one Sanjay Kumar is alleged to have assaulted the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the present case is counter



blast of Shastri Nagar P.S. Case No. 958 of 2024. Although, petitioner is named in the FIR, but it appears from the FIR that there is no specific allegation attributed against the petitioner. The allegation against the petitioner is that he along with co-accused, namely, Sanjay Kumar has assaulted the informant and the informant has received injury, but the said Sanjay Kumar has granted anticipatory bail by order dated 16.07.2025 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 44671 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court, 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 the learned Additional Chief Judicial Magistrate-IX, Patna in connection with Shashtri Nagar P.S. Case No. 965 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. 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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