

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45252 of 2025

Arising Out of PS. Case No.-592 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Anupam Kumar @ Anupam Kumar Singh @ Tinku Singh son of Ashok
Kumar @ Ashok Singh Village- Ward no 26 Near V. A. Mission School, New
Chandmari, PS -Motihari District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-07-2025 Heard Mr. Pawan Kumar, learned counsel for the

petitioner and Mr. Shyam Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Motihari Town P.S. Case No. 592 of 2024,
F.I.R. dated 14.09.2024 for the offences punishable under
Sections 191(2), 191(3), 126(2), 115(2), 352, 109, 303(2),
118(1) of the B.N.S.

3. According to prosecution case, the petitioner
along with other co-accused persons is said to have assaulted
the informant and one, Kundan Kumar with lathi, iron rod, axe
etc. due to which they got injured. It is further alleged that the
accused persons snatched gold chain, gold pendent and mobile



phone.

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 from a bare perusal of the F.I.R it appears that due to some petty dispute, the present occurrence has taken place. He further submits that although, there is specific allegation against the petitioner that he has assaulted the informant but from perusal of the injury report of the informant (Annexure-3), it appears that his injury is found to be simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, the injury inflicted on the body of the informant is found to be 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 the learned Additional Sessions Judge-4, East Champaran, in connection with Motihari Town P.S. Case No. 592 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 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 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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