

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48275 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- AMAS District- Gaya

1. Sudhir Kumar Singh @ Sudhir Singh son of Late Nagdeo Singh Village- Narayanpur Ps- Amas Dist- Gaya
2. Akshay Pratap singh @ Amit Singh son of Jamuna singh Village- Narayanpur Ps- Amas Dist- Gaya
3. Shivam Singh @ Sittu Kumar Singh @ Sintu Kumar @ Sintu Singh son of Upendra singh Village- Narayanpur Ps- Amas Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Bipin Kumar, learned counsel for the

petitioners and Dr. Indihar Kumari, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Amas P.S. Case No. 86 of 2025, F.I.R. dated 20.03.2025 for the offences punishable under Sections 190, 191(2), 191(3), 115, 126(2), 117(2), 303(2), 351(2), 352 and 109 of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all these petitioners armed with iron rod and lathi started abusing the informant who was sleeping in his truck. Petitioner nos. 1 and 2 assaulted the



informant by means of iron rod on his head which caused him severe injuries. In the meantime, other accused persons also assaulted him and looted Rs. 30,000/- and fled away.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the F.I.R that due to some petty dispute the present occurrence has taken place. Although the petitioners are named in the F.I.R but from perusal of the F.I.R it appears that the informant has filed the present case only to save the skin from Amas P.S. Case No. 83 of 2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that it appears from the F.I.R that the direct and specific allegation of assault is attributed against the petitioner nos. 1 and 2 and the injury report of the injured person suggest that two injuries were caused to the injured person and both the injuries are grievous in nature. She further submits that there is no allegation against the petitioner no. 3.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner nos. 1 and 2, namely, Sudhir Kumar Singh @ Sudhir Singh and Akshay Pratap Singh @ Amit Singh, respectively, in



connection with Amas P.S. Case No. 86 of 2025 pending in the court of Judicial Magistrate, Sherghati, Gaya.

7. Prayer is refused.

8. However, considering the fact that there is no allegation against the petitioner no. 3, let the petitioner no. 3, namely, Shivam Singh @ Sittu Kumar Singh @ Sintu Kumar @ Sintu Singh, 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 Judicial Magistrate, Sherghati, Gaya in connection with Amas P.S. Case No. 86 of 2025, 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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