

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47351 of 2025

Arising Out of PS. Case No.-285 Year-2022 Thana- BAHADURGANJ District- Kishanganj

Devbrat Kumar Roy @ Devu @ Devbrata Kumar Roy S/o- Late Indradeo Roy Resident of village -Kalibari Ruidhasa, P.S.- Kishanganj, District- Kishanganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2025 Heard Mr. Amal Kumar Sinha, learned counsel for the petitioner and Mr. Madhura Nand Jha, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bahadurganj P.S. Case No. 285 of 2022, F.I.R. dated 31.10.2022 for the offences punishable under Sections 341, 323, 325, 307, 385, 386, 392, 342 and 120(B) of the Indian Penal Code.

3. As per the First Information Report, the informant alleged that the petitioners abducted him and confined in a room and assaulted him and took his signature on some documents.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The petitioner is not named in the FIR and his name transpired on the basis of confessional



statement of co-accused person, namely, Istiyaque and except the confessional statement of co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner. He fairly submits that FIR was instituted after delay of 21 days. He further submits that from bare perusal of the FIR it appears that there is serious allegation against the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner is not named in the FIR and he has clean antecedent and except the confessional statement of co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, in the event of 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 Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 285 of 2022, 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 bond 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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