

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46616 of 2025

Arising Out of PS. Case No.-154 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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Karnesh Kumar @ Karunesh Kumar S/o- Late Bambhola Singh @ Bambholi
Singh Resident of Village- Kharui, Police Station- Kundwa Chainpur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Kundwachainpur P.S. Case No. 154 of 2022 registered for the
offences under Sections 302, 120B, 34 of the Indian Penal Code
and Section 27 of Arms Act, 1959.

3. As per the prosecution case, the informant has
alleged that his brother Suresh Singh @ Mastanji was a
Mahanth in the Hanuman Temple and some local men suspected
that he wanted to capture the land of the mandir. Therefore, they
fired at the informant's brother, who succumbed to his injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



instant case. Further submission is that the petitioner is not named in the FIR and subsequently, his name has transpired in the statement of the co-accused persons. It is next submitted that the allegations levelled against the petitioner are general and omnibus in nature and the investigation was kept pending against the petitioner and others and now they have been summoned under Section 319 Cr.P.C. to face the trial. It is lastly submitted that the petitioner has four criminal antecedents.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions made on behalf of the parties and also considering the fact that the petitioner has been summoned under Section 319 of Cr.P.C. and also that there are general and omnibus allegations against the petitioner, let the petitioner, above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kundwa



Chainpur P.S. Case No. 154/2022 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the



petitioner is directed to appear before the Superintendent of Police, East Champaran within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

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