

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51666 of 2025

Arising Out of PS. Case No.-77 Year-2022 Thana- NAUTAN District- Siwan

Shyam Babu Kumar @ Shyam Babu Chauhan S/o Barrister Mahto R/o vill -
Mojahidpur, P.S.- Dhanauti (O.P), distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Nautan P.S. Case No. 77 of 2022 registered for the offences
under Section 395 of the Indian Penal Code.

3. As per the prosecution case, the informant has
alleged that while he was returning after closing his shop, six
miscreants intercepted the motorcycle and assaulted him with
iron rod and on the point of pistol snatched mobile, laptop,
purse, aadhar card, pan card and Rs. 10,000/- from him.

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 FIR was lodged against
unknown persons and during the course of investigation, one



accused namely Vijay Kumar was apprehended who disclosed the name of the petitioner stating him to be an accomplice. It is next submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Petitioner has one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, 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) 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 Nautan P.S. Case No. 77 of 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 B.N.S.S. 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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