

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47468 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- BANIAPUR District- Saran

PRADIP KUMAR S/o RAJESHWAR PRASAD @ RAJESHWAR SAH R/O
VILLAGE- SATUAN, PS- BANIYAPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
		Mr. Ajit Kumar, Advocate
For the State	:	Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2025 Heard Mr. Rajesh Kumar, learned counsel for the petitioner as well as Ms. Pushpa Sinha 1, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baniapur P.S. Case No. 108 of 2025, F.I.R. dated 16.03.2025 for the offences punishable under Sections 127(2), 115(2), 118(1), 109, 303(2), 351(2), 352(3)(5) of the BNS.

3. According to prosecution case, the petitioner along with other co-accused persons is said to have assaulted the son of the informant. It is further alleged that one co-accused person has snatched gold chain on point of pistol.

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 although the petitioner is named in the FIR but specific allegation of assault has been attributed against the co-accused person, namely, Golu Kumar and Salu Kumar and allegation against the petitioner is that he has also assaulted the injured person along with other co-accused persons. It is further submitted that similarly situated co-accused persons, namely, Hareram Kumar, Salu Kumar @ Aditya Kumar and Golu Kumar @ Harimohan Soni have been granted privilege of anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 18.06.2025 passed in Cr. Misc. No. 37328 of 2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one more case 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, there is no specific allegation of any assault or overt act attributed against the petitioner and similarly situated



co-accused persons have been granted privilege of anticipatory bail by a co-ordinate Bench of this Hon'ble Court, 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 Judicial Magistrate-1st Class, Saran at Chapra in connection with Baniapur P.S. Case No. 108 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 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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