

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48390 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- SIMRI District- Darbhanga

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Suman Kumar Son of Manoj Kumar Thakur Resident of Village - Banauli,
P.S.- Simri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr.Dr Satyendra Kumar Shrivastava, learned

counsel for the petitioner and Mr.Bharat Lal, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Simri P.S. Case No. 77 of 2025, FIR dated
16.03.2025 for the offence under sections 126(2), 109, 324(2)
and 3(5) of the BNS, 2023.

3. As per the prosecution story, the informant alleged
that on the day of festival Holi, the son of the informant was
going to purchase abir from the market when it is alleged that
co-accused person, namely, Ritesh Kumar @Ritesh Raushan
Kumar caught hold of him and after sprinkling petrol, lit fire
and thereafter, other co-accused Suman Kumar started making
reel. Only due to timely intervention of locals, the fire was



extinguished and he was shifted to the Health Center, Singhwara and then to Darbhanga Medical College and Hospital for better treatment.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. As per allegation in the FIR, co-accused person, namely, Ritesh Kumar @Ritesh Raushan Kumar has sprinkled petrol upon the victim and the petitioner is making Reels/ started to make video and there is no specific allegation of any assault or overt-act attributed against the petitioner and said co-accused person, namely, Ritesh Kumar @Ritesh Raushan Kumar has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 16.07.2025 passed in Cr. Misc. No.44318 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and co-accused person, namely, Ritesh Kumar @Ritesh Raushan Kumar, against whom the allegation of sprinkling petrol over the victim, has been granted privilege of anticipatory bail by a Coordinate 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 learned Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 77 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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