

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50832 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- BARHIYA District- Lakhisarai

Gulshan Kumar Son of Mukesh Singh Resident of Village - Khootha, Police
Station - Barahiya, District – Lakhisarai. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2025 Heard Mr. Parmanand Pd. Nr. Sahi, learned counsel
for the petitioner and Mr. Anil Kumar, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barahiya P.S. Case No. 153 of 2024, F.I.R. dated 15.06.2024 for the offences punishable under Sections 341, 323, 307, 504, 506/34 of Indian Penal Code.

3. As per the First Information Report, the informant alleged that the petitioner along with other accused persons came armed with weapons and started abusing the informant and demanded Rs.5 lakh as ransom from him. Upon objection, the accused persons assaulted the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that the



date of occurrence is 12.06.2024 but the present FIR was instituted on 15.06.2024 i.e. after three days without giving any reason of delay and apart from that there is no specific allegation of assault or demand of ransom against the petitioner and similarly situated co-accused person, namely, Shashi Kumar has been granted the privilege of anticipatory bail by this Court vide order dated 04.04.2025 in Cr.Misc.No.21415 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner. He further submits that the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent and similarly situated co-accused person has been granted the privilege of anticipatory bail by this Court, 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, Lakhisarai in connection with Barahiya P.S. Case No. 153 of 2024, 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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