

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51566 of 2025

Arising Out of PS. Case No.-150 Year-2023 Thana- GHANSHYAMPUR District- Darbhanga

1. Ashok Kumar Singh Son of Upendra Singh
 2. Amod Singh Son of Upendra Singh @ Opi Singh
Both R/o Village -Punhad PS -Ghanshyampur, Dist- Darbhanga
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-07-2025 Heard Mr.Rupesh Kumar Singh, learned counsel for the petitioners and Mr.Pranav Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ghanshyampur P.S.Case No.150 of 2023 corresponding to G.R.No.564 of 2023, FIR dated 19.06.2023 registered for the offences punishable under Sections 341,323,354(A),307,504,506,34 of the Indian Penal Code and chargesheet has been submitted under Sections 302, 307, 34, 341, 354(A), 354(B), 504, 506 of IPC.

3. Allegation against the petitioners is that they in connivance with other accused persons have murdered the husband of informant namely, Siyaram Singh.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. The police, after investigation, submitted chargesheet in favour of the petitioners but the learned court below, in a mechanical manner, has taken cognizance vide order dated 19.10.2024 against both the petitioners and other co-accused persons.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, police, after investigation, submitted chargesheet in favour of the petitioners but the learned court below, in a mechanical manner, has taken cognizance against both the petitioners and other co-accused persons, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Biraul, Darbhanga in connection with Ghanshyampur P.S. Case No.150 of 2023



corresponding to G.R.No.564 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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