

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57700 of 2025

Arising Out of PS. Case No.-42 Year-2024 Thana- BHADHWAR District- Gaya

Suraj Kumar @ Suraj Mistry S/o- Satyendra Mistry @ Satyendra Sharma
Village- Karmon Ps- Maigra District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 324(4), 326(F), 326(g),
351(3), 3(5) of the Bhartiya Nyay Sanhita.

3. The allegation in the first information report is that
four persons including the present petitioner came to the house
of the informant and put his Tata Safari car on fire and also
threatened the informant of dire consequences.

4. Learned counsel for the petitioner, at the outset,
submits that for an occurrence which took place on 19.10.2024,
the First Information Report came to be lodged on 27.10.2024
and for such inordinate delay, no plausible explanation has been
tendered by the informant. It has further been submitted that
even upon reading of the FIR, the allegation upon the petitioner



is confined to sprinkling petrol on the vehicle, however the specific allegation of lighting the fire is on co-accused Raju Yadav and further allegation of threatening is also on co-accused Raju Yadav. It has also been submitted on behalf of the petitioner that there is no material collected in the entire course of investigation but for the statement of the informant and his cousin brother and no other statement of any independent witness has been recorded. Further, there is no allegation of assault or causing injury to any person.

5. Learned APP for the State has opposed the application for bail besides others on the ground of criminal antecedent of the petitioner which are two in number. However, it has been submitted that the petitioner is on bail in both the cases.

6. Taking into consideration the facts and circumstances and also considering that there is an inordinate delay of about 8 days in lodging of the first information report and further no harm or damage has been caused to life of any person by the petitioner and he is in custody since 12.05.2025, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees 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 Bhadwar P.S. Case No. 42 of 2024, subject to the conclusion that:

(I) One of the bailors would be the family member or relative.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on any date without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(III) The court below shall verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process would be done expeditiously without causing any delay preferably within a period of two weeks.

(Soni Shrivastava, J)

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