

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60784 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- HASANPUR District- Samastipur

1. Rahul Kumar @ Raman S/O Anil Kumar Roy R/O Village- Rampur Rajawa, Ward No. 06, P.S- Hasanpur, Distt.- Samastipur.
2. Mukesh Kumar @ Chaman S/O Anil Kumar Roy R/O Village- Rampur Rajawa, Ward No. 06, P.S- Hasanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Shashank Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Anshul, learned senior counsel for the petitioners, Mr. Shashank Shekhar, learned counsel appearing on behalf of the informant as well as Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hasanpur P.S. Case No. 72 of 2025, F.I.R. dated 06.05.2025 for the offences punishable under Sections 110, 115(2), 117(2), 118(1), 126(2), 132, 308(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, these petitioners demanded Rs. 1 lakh as extortion from the informant and on non-fulfillment of the same they assaulted the informant and his



son due to which his son received several injuries.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that due to political reasons the present occurrence took place. Although the petitioners are named in the F.I.R but there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. Apart from that the date of occurrence as alleged is 02.06.2025 but the present F.I.R has been instituted on 06.06.2025 i.e., after delay of about 4 days afterthought only to falsely implicate the petitioners due to political reasons.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that the petitioners carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioners are on bail in both the cases.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against these petitioners, let



the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 72 of 2025, 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. 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 bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, 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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