

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60868 of 2025

Arising Out of PS. Case No.-187 Year-2020 Thana- NADI P.S. District- Patna

Atul Kumar Son of Awdhesh Singh R/o Village - Nijampur, P.S. - Didarganj,
Dist. - Patna(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Nadi P.S. Case No. 187 of 2020 registered for the offence under Sections 147, 148, 149, 341, 323, 307, 427, 332, 333, 188, 353, 120(B) and 504 of the Indian Penal Code, lodged on 15.11.2020 by the informant, Sakendra Kumar.

3. As per the prosecution story, the informant alleged that upon recovery of dead body, the information came that one person is being assaulted brutally. The Police reached and tried to convince them but hundred of villagers were there, were violent and beside assaulting the alleged accused Arun Kumar also became violent against the Police and damaged the vehicles parked in the factory. Anyhow, he was rescued and 31 named and 100 to 150 unknown persons were made accused in this



case. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he had absolutely no knowledge of the case in hand and when came to know, took recourse to the anticipatory bail application, some of the similar situate accused Karu Singh and Chhotu Kumar have been granted relief in Cr. Misc. No. 26541 of 2024 and Cr. Misc. No. 69396 of 2022 respectively. Though he concede that the petitioner has criminal antecedent, shall be diligently appearing in trial and the last submission is that without accepting the allegation or outcome of the petition, the petitioner intends to pay Rs.5,000/- by Demand Draft issued by the local branch of the State Bank of India to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer for bail submitting that on the suspicion, an innocent was been assaulted and they also went violent against the Policemen.

6. Considering the submissions of the parties as also the fact that they have no criminal antecedent, case has been lodged against 31 named and 100 to 150 unknown persons, some of the similar situate persons have been granted relief as stated above, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of



Rs.5,000/- each (totaling Rs.20,000/-) by Demand Draft issued by the local branch of State Bank of India to the Chief Minister's Relief Fund and the receipt has to be submitted before the Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Patna City, in connection with Nadi P.S. Case No. 187 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance:



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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