

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61995 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- BAKHTIYARPUR District- Patna

1. Libbu Kumar @ Saurabh Kumar Son of Yogendra Singh R/o Village and Post - Karnauti, P.S. - Bakhtiyarpur, Dist. - Patna, Bihar - 803212.
2. Pappu Singh @ Pappu Kumar @ Dharendra Kumar Singh Son fo Sakh Dev Singh @ Sarw Dev Singh R/o Village and Post - Karnauti, P.S. - Bakhtiyarpur, Dist. - Patna, Bihar - 803212.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Kundan Kumar Ojha, learned counsel
for the petitioners and Mr. Yogendra Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bakhtiyarpur P.S. Case No. 183 of 2024, F.I.R. dated 27.03.2024 for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 354 and 504 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners armed with pistol, sword and javelin assaulted the family members of the informant and also tried to outrage the modesty of the female members of his family.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. Although the petitioners are named in the F.I.R but it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and there is no specific allegation against the petitioners in the F.I.R, 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-Barh-III, Patna in connection with Bakhtiyarpur P.S. Case No. 183 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. 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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