

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71016 of 2024

Arising Out of PS. Case No.-143 Year-2022 Thana- ASHOK PAPER MILL District-
Darbhanga

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Khagendra Narayan Singh @ Sonu Singh Son of Chandra Narayan Singh @
Kamala Singh Resident of Village - Khaira, P.S. - Bahadurpur, District -
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

4 14-02-2025 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with A.P.M. (Pataur O.P.) P.S. Case No.143 of 2022,
F.I.R. dated 10.08.2022 registered for the offence punishable
under Sections 302 and 120(B) of the Indian Penal Code.

3. According to prosecution case, three miscreants on
a motorcycle are said to have committed murder of Vishal
Kumar son of the informant by fire arm while he was returning
to his home.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the FIR is lodged against the unknown persons and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of accused person, Prince Kumar and except the confessional statement of accused person no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned APP for the State, on the other hand on the basis of the material available in the case diary has vehemently opposed the prayer for anticipatory bail of the petitioner stating that although it appears from the impugned order the name of the name of the petitioner has been transpired on the basis of the confessional statement of accused person, but there is no statement is available in the case diary. Further submits that it has come in the supervision report that name of the petitioner has been transpired on the basis of the confessional statement of accused person, Prince Kumar. Apart from the aforesaid the petitioner has carries two more cases other than the present one, but fairly submits on the basis of paragraph-3 of the petition that in both the cases petitioner is on bail.



6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Darbhanga in connection with A.P.M. (Pataur O.P.) P.S. Case No.143 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for



cancellation of anticipatory bail bond of the petitioner. 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)

Prakash Narayan

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