

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67210 of 2025

Arising Out of PS. Case No.-246 Year-2023 Thana- PIPRAHI District- Sheohar

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1. Gopal Thakur, Son of Late Ravinandan Thakur @ Bhuiyel Thakur, R/O- Dhankaul P.S- Piprahi District- Sheohar
 2. Nishant Kumar, Son of Gopal Thakur, R/O- Dhankaul PS- Piprahi District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Piprahi P.S. Case No. 246 of 2023 dated 01.11.2023, registered for the offences punishable under Sections 324, 379, 384, 406, 420, 428, 504, 506 read with Section 34 of the Indian Penal Code.

3. As per allegation, the informant had taken one pond on lease from the co-accused, Harendra Kumar, and later on, he came to know that the same pond has been leased out by the said Harendra Kumar to the co-accused, Gopal Thakur and when the informant went to the pond for fishing, he was not allowed to fish it.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as per allegation, it is co-accused, Harendra Kumar, who has committed cheating and the petitioners cannot be held liable for committing any offence under Sections 406 and 420 IPC. Moreover, there is no allegation of causing any hurt by the petitioners.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have one criminal antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection



with Piprahi P.S. Case No. 246 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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