

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66236 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- KUMAR KHAND District- Madhepura

1. Deepak Sardar S/O Late Bino Sardar R/o Lakshaminiya, Ward No.- 9, P.S.- Bhatani , Distt.- Madhepura
2. Anil Sardar S/O Late Bino Sardar R/o Lakshaminiya, Ward No.- 9, P.S.- Bhatani , Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-09-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kumar Khand P.S. Case no.87 of 2025 registered under sections 191(2), 191(3), 190, 109, 126(2), 115(2), 121(1), 121(2), 132, 324(4), 303(2), 262, 352, 351(2) and 62 of the B.N.S, 2023.

3. The allegations in the F.I.R is that accused persons being 25-30 in numbers came variously armed and indulged in assault upon police personnel causing injuries to them.

4. Learned counsel for the petitioners submits that it would be apparent from the F.I.R itself that allegations are



against mob of 25-30 persons out of which it has been stated that *chowkidar* identified eight persons, the petitioners being amongst them. It is further submitted that the occurrence took place on 27.03.2025, F.I.R was lodged on 28.03.2025 and the same was forwarded on 07.04.2025 to the concerned Court on 07.04.2025 thereby indicating that that the F.I.R has been antedated. The petitioners undertake to co-operate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioners have three criminal antecedents each. In response, learned counsel for the petitioners submits that they are on bail in the said cases.

6. Taking into consideration the aforesaid facts of the case and considering that there is delay in sending the F.I.R to the learned Court below coupled with the fact that there is general and omnibus nature of allegation with no injury report on record thereby not making out a case under Section 109 of the B.N.S, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kumar Khand P.S. Case no.87 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the learned concerned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the following conditions:-

(I) One of the bailors of the petitioners shall be the family member/close relative of the petitioners.

(II) They shall co-operate in the investigation/trial and would make himself available before the Investigating Officer as and when required till investigation is concluded against them.

(III) The learned Court below would however, verify the criminal antecedents of the petitioners and in case it is found that the petitioners have concealed their criminal antecedents, the Court below shall take step for cancellation of bail bond of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay preferably within a period of two weeks.

(Soni Shrivastava, J)

Harsh/-

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