

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71317 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- GARKHA District- Saran

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Brij Mohan @ Brij Mohan Mahto @ Virbuhana Kumar @ Virbuhana S/O
Shiyaram Mahato R/O Village - Mangarpal Nuran, P.S. - Dariyapur, District -
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-10-2025 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Garkha P.S. Case No. 420 of 2024 for the offences punishable under Sections 331(4) and 305 of BNS.

3. Learned counsel for the petitioner submits that the First Information Report was initially instituted against unknown persons and that during the course of investigation, the name of the petitioner has surfaced. It is further submitted that a search of the petitioner's house was conducted in his absence but nothing incriminating was recovered from the place of occurrence. The petitioner has clean antecedent and undertakes to abide by any condition that may be imposed upon him.



4. On the other hand, learned APP vehemently opposes the prayer for grant of anticipatory bail to the petitioner.

5. Considering the aforesaid submissions and the fact that the FIR was lodged against unknown persons, the petitioner's name has surfaced during investigation and that nothing incriminating has been recovered from the place of occurrence, this Court is inclined to extend the privilege of anticipatory bail to the petitioner.

6. Let the petitioner, above named, 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chhapra in connection with Garkha P.S. Case No. 420 of 2024 subject to the conditions as laid down Section 482(2) of the BNSS, 2023 as well as the following conditions:-

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

(ii) the petitioner 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 his bail



bond by the Trial Court itself;

(iii) the petitioner 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;

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

(Ajit Kumar, J)

Prakash/-

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