

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73696 of 2025**

Arising Out of PS. Case No.-379 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Arvind Kumar S/o Madan Mahto R/o Village- Khoksaha, P.S.- Bibhutipur,  
District- Samastipur .. ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ujjwal Kumar, Adv.  
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      19-11-2025                      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bibhutipur P.S. Case No. 379/2024 instituted under Sections 105, 3(5) of the BNS, 2023 lodged on 05.11.2024 by the informant, Madan Paswan.

3. The prosecution case, in brief, is that the informant, Madan Paswan/*Chaukidar* filed a petition before the concerned PS stating therein that he was deputed in Kali Pooja at Khokhsaha Sanskrit School, and on 04.11.2024, the Ravan Dahan program was arranged by the conductor of Pooja Samiti without taking any permission, and in the said Ravan Dahan program, one person namely, Manoon Kumar died due to falling of iron pipe. Accordingly, the FIR

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence as alleged in the FIR. It has next been submitted that FIR is against Sarb Mangla Kali Puja Samiti



Adhyaksh Sadasya while the petitioner is a villager and on the basis of certain information having been provided by the informant/Chaukidar, as per the directions of the higher officials for submitting a written report, the name of this petitioner has been roped in without there being any incriminating material while from the FIR itself, it is apparent that during Kali Puja procession a chaos was created due to which the deceased is said to have died on having received injury on account of falling of iron rod upon him. Learned counsel next submits that the petitioner has got clean antecedent and is ready to abide by the conditions as imposed by this Court.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the submissions so advanced on behalf of the parties, and the facts that the petitioner has got clean antecedent and there is nothing in the FIR to show the complicity of the petitioner, this Court is inclined to extend the petitioner the privilege of anticipatory bail.

7. Let the sole petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each in connection with aforesaid P.S.Case to the satisfaction of learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions:-

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

*(ii) the petitioner(s) 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 their bail bond by the Trial Court itself;*

*(iii) the petitioner(s) shall co-operate in the investigation and make themselves available to the police as and when required;*

*(iv) the petitioners 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.*

**(Ajit Kumar, J)**

perwez

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

