

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79121 of 2025

Arising Out of PS. Case No.-358 Year-2025 Thana- GANDHIMAIDAN District- Patna

Aman Kumar S/o Shiv Shankar Chaurasia Resident of - Chandmari Road,
Chutkula Nand Gali, P.S - Kankarbagh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushant Kumar, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-12-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gandhi Maidan P.S. Case No. 358 of 2025 for the offence registered under sections 137(2), 140(3), 61(2) of the BNS, 2023.

3. As per the prosecution story, the informant alleged that the information came that the child along with two others were at Antaghat and the two boys including this petitioner informed that while bathing, the son was drowned, the clothes were near the river. Apprehending the role of the two boys, the FIR.

4. Learned Counsel for the petitioner submits that the drowning took place on 04.06.2025, ten days later, the present



case. Further, while the petitioner tried to rescue the deceased, he was also drowning and was shifted to PMCH and the document would show that he was admitted the same day and later discharged on 07.06.2025. The drowning was also reported in the newspaper. The last submission is that the second boy who was also there (Gaurav Kumar) has since been granted relief in Cr. Misc. No. 76917 of 2025 on 27.11.2025.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the informant had strong apprehension of the role of the two boys.

6. Considering the submissions of the parties as also the fact that there is ten days delay in lodging of the FIR, the petitioner himself was in PMCH for three days, as recorded earlier, has no criminal antecedent, is a student, similar placed Gaurav Kumar has been extended relief, as recorded above, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Patna in connection with Gandhi Maidan P.S. Case
No. 358 of 2025 subject to the following conditions:

(i) one of the bailor should be the family
members/relatives 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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