

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89328 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- NAYAGAON District- Begusarai

1. Himanshu Kumar S/O Rajesh Kumar Singh @ Rajesh Kumar R/O Vill.- Mahendrpur, Mahindarpur, P.S.- Nayagaon, Dist.- Begusarai.
2. Rajesh Kumar Singh @ Rajesh Kumar Son of Late Suresh Prasad Singh @ Late Suresh Singh R/O Vill.- Mahendrpur, Mahindarpur, P.S.- Nayagaon, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-04-2025 Heard Mr. Shubhesh Pandey, learned counsel for the petitioners and Mr. Ram Naresh Ray, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Nayagaon P.S. Case No. 70 of 2024, F.I.R. dated 07.09.2024 for the offences punishable under Sections 126(2), 115(2), 118(1), 352, 351(2), 109, 303(2), 3(5) of Bharatiya Nayay Sanhita, 2023.

3. According to prosecution case, the informant alleged that when he along with his son were returning home after closing the CSP centre, petitioners along with other accused persons arrived there and assaulted them and snatched



Rs. 49,700/- from the pocket of the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Though the petitioners are named in the FIR there is no specific allegation against the petitioners rather allegation against the petitioner is ornamental that petitioner has snatched Rs. 49,700/- from the bag of the informant.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is no specific allegation against the petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Begusarai in connection with Nayagaon P.S. Case No. 70 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-



i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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