

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89486 of 2024

Arising out of PS. Case No.-202 Year-2024 Thana- KARAHGAR District- Rohtas

Vivek Kumar S/o- Late Sanjay Ram Resident of Khakhada P.s-Karhgar, Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate
For the Opposite Party/s: Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 29-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with
Karhgar P.S. Case No. 202 of 2024 instituted for the offences
under Sections 103(1) and 238 of BNS, 2023. He has no crimi-
nal antecedent.

3. As per the prosecution case, the informant has al-
leged that her husband scolded his two sons due to dispute in the
family and subsequently one of the son fled on the roof of the
house and his father followed him there but on account of scuf-
fle he slipped on the stairs and fell down on the earth, due to
which her husband succumbed to the injuries.

4. Learned counsel for the petitioner submits that
from the perusal of the FIR it is evident that there is no allega-



tion of deliberate assault by the petitioner upon his father causing his death. It is further submitted by learned counsel for the petitioner that there is nothing on record to suggest that the said incident had occurred and there was any intention on the side of the petitioner to cause the death of his father. It is lastly submitted that the petitioner has no criminal antecedent and he is in custody since 23.07. 2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submission of learned counsel and taking into account the averments made in the FIR and also the fact that the petitioner has clean antecedent and he is in custody since 23.07.2024, the petitioner above named, is directed to be released on bail 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Karhgar P.S. Case No. 202 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the



Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

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

(Sourendra Pandey, J)

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