

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88648 of 2024**

Arising Out of PS. Case No.-492 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Bittu Kumar S/O Mithlesh Paswan R/O Vill.- Maheva, P.S- Makhdumpur,  
Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

3      08-05-2025                      Heard Mr. Umesh Kumar, learned counsel for the  
petitioner and Dr. Ajeet Kumar, representing the State.

2. The petitioner is apprehending arrest in connection with Makhdumpur P.S. Case No. 492 of 2024 instituted under Sections 126(2), 115(2), 303(2), 308(5), 109, 352, 3(5) of Bharatiya Nyaya Sanhita and section 27 of the Arms Act lodged on 10.10.2024 by the informant, Ashutosh Kumar.

3. As per the prosecution story, the informant alleged that demanding extortion, the informant was abused, slapped and Rs. 72,000/- was taken from his pocket besides the mobile. Later, it is said that the petitioner opened fire which however did not hit anyone. This led to the FIR.

4. Learned counsel for the petitioner submits that



there is delay in lodging of the FIR, due enmity, he has been named, the petitioner do not have criminal antecedent, is only 20 years of age and to show his bonafide, he is ready to pay Rs. 72,000/- to the informant and also intends to visit the Makhdumpur Police Station (Jehanabad) for a week every day for two hours to clean the campus and thereafter, intends to plant samplings with the permission of the said SHO.

5. Learned APP opposes the prayer submitting that not only he snatched the amount, also opened fire.

6. Considering the submissions of the parties, though allegation is there against the petitioner, taking into account the fact that he is only 20 years of age, having no criminal antecedent, intends to make the payment as also to visit the Police Station as recorded above, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Makhdumpur P.S. Case No. 492 of 2024 to the satisfaction of learned A.C.J.M.-1st Class, Jehanabad subject to the conditions as laid down under



Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

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

(iv) 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;

(v) 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.

8. List this case on 04.07.2025 under the heading 'To Be Mentioned' to peruse the report/photos submitted by the



S.H.O., Makhdumpur P.S. through learned APP as also Mr. Umesh Kumar. Failure to present in the P.S., appropriate steps shall be taken against the petitioner.

**(Rajiv Roy, J)**

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