

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6351 of 2025

Arising Out of PS. Case No.-749 Year-2023 Thana- KOILWAR District- Bhojpur

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Vikash Kumar @ Vikash Yadav S/o Tarkeshwar Ray @ Bhalu Ray Resident
of Manachak, Haripur, P.S- Koilawar, Distt.- Bhojpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-05-2025 Heard Mr. Krishna Pd. Singh, learned Senior

counsel for the petitioner and Mr. Pramod Kumar Pandey,

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Koilwar PS Case No. 749 of 2023 dated 31.12.2023 registered for the offences punishable under Sections 147, 341, 323, 307, 379 of the IPC.

3. As per prosecution case, all the FIR named accused persons along with others on 31.12.2023 came, allegedly, to the *Dalan* of informant, threatened him, assaulted him and his gold chain was snatched. This led the FIR.

4. Learned Senior counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that from perusal of the FIR itself, it appears that there is no allegation of overt act against the



petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. Apart from that, there is an ornamental allegation against the petitioner that he has snatched a gold chain of the informant and there is no injury report available on the record which suggests that the informant has received any injury.

5. Learned APP, on the other hand, vehemently opposed the prayer for anticipatory bail but fairly submits that out of four criminal cases pending against the petitioner, he is on bail in one case and the rest three cases are pending before the competent Court of law for consideration.

6. Considering the aforesaid facts and circumstance and also the fact that there is no allegation of overt act against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner, let the petitioners, above named, in the event of their 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with aforesaid PS Case, 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tamper 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 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 or in the name of verification.

(Rajesh Kumar Verma, J)

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