

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1960 of 2025**

Arising Out of PS. Case No.-84 Year-2024 Thana- KUDHNI District- Muzaffarpur

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Sakesh Sahiba S/o Ratneshwar Prasad Singh Resident of village - Jagdish  
Kamtaul, PS- Kudhani, District- Muzaffarpur ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      04-08-2025                                      Heard Mr. Manish Chandra Gandhi, learned  
  
counsel for the petitioner and Mr. Raj Ballabh Singh, learned  
  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kudhani P.S. Case No. 84 of 2024, F.I.R. dated 02.03.2024 for the offences punishable under Sections 341, 323, 307, 384, 379, 427 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including petitioner entered into the shop of the informant and committed theft and also assaulted to the informant by means of pistol butt due to which he received injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not



committed any offences as alleged in the F.I.R. Although there is specific allegation against the petitioner that he has assaulted to the informant by means of pistol butt but the injury report of the injured person suggest that the injury is simple in nature caused by hard and blunt substance and the petitioner has been implicated in the present case due to his previous criminal antecedents.

5. Llearned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has assaulted to the informant by means of pistol butt and apart from that the petitioner carries six criminal antecedents other than the present one but fairly submits that the petitioner is on bail in four cases and two cases are pending before the competent court of law for consideration.

6. Considering the aforesaid facts and circumstances, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1<sup>st</sup> (West) Muzaffarpur in



connection with Kudhani P.S. Case No. 84 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. 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 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 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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