

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6357 of 2025

Arising Out of PS. Case No.-281 Year-2019 Thana- UJIYARPUR District- Samastipur

Prem Singh S/O Arvind Kumar Resident of Village- Chamrahara, PS-
Mahnar, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-05-2025 Heard Mr. Niranjana Parihar, learned counsel for the

petitioner and Mr. Ram Sevak Choudhary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ujiyarpur P.S. Case No. 281 of 2019, F.I.R. dated 26.11.2019 for the offences punishable under Sections 379, 411 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other person on a motorcycle stopped the driver of a van and demanded some money.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the the name of the petitioner has been transpired during the investigation on the basis of the



confessional statement made by the co-accused, namely, Sujit Kumar Singh @ Chandan and except the aforesaid no other material has come during investigation, which suggests the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts, the petitioner is not named in the F.I.R., the name of the petitioner has been transpired on the basis of the confessional statement made by the co-accused person, 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 S.D.J.M., Dalsingh Sarai (Samastipur), in connection with Ujiyarpur P.S. Case No. 281 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the



B.N.S.S., 2023 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)

Jyoti Kumari/-

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