

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30041 of 2026

Arising Out of PS. Case No.-75 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Om Kumar @ Om Kumar Singh @ Om Kunvar @ Om Singh Son of Neeraj
Kumar Singh @ Pankaj Kunvar Resident of Village Tara, P.S.-
Mohiuddinagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026 Heard Ms. Madhubala Verma, learned counsel for

the petitioner and Mr. Chandra Sen Prasad Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Mohiuddinagar P.S. Case No. 75 of 2025, F.I.R.
dated 27.04.2025 for the offences punishable under Sections
310(4), 310(5), 310(6), 317(3), 317(5) of the Bhartiya Nyay
Sanhita, 2023 and 25(1-b)a, 26, 35 of Arms Act.

3. Allegation against the petitioner is that he along
with other co-accused persons had assembled at co-accused
Durgesh Kumar's Bathan for commission of offence but when
police party raided the place they managed to flee from the spot
and their names were disclosed by the apprehended co-accused



persons. Firearms and other incriminating articles were recovered from possession of apprehended co-accused persons.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Initially the petitioner was not named in the FIR and his name transpired during investigation on the basis of confessional statement of apprehended co-accused, namely, Durgesh Kumar and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and firearms and other articles have been recovered from possession of the said Durgesh Kumar and petitioner has no role at all in the present occurrence. He next submits that similarly situated co-accused person, namely, Vikash Kumar @ Vikas Kumar has been granted the privilege of anticipatory bail by this Court vide order dated 08.09.2025 in Cr. Misc. No. 60668 of 2025 and other co-accused person, namely, Kaushal Chaudhary @ Anurudh Kumar @ Kasushal Chaudhari has also been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 27.08.2025 in Cr. Misc. No. 57876 of 2025.

5. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in two cases and one case is pending for consideration before competent Court of law.

6. Considering the aforesaid facts and circumstances and the fact that initially the petitioner was not named in the FIR and his name transpired during investigation on the basis of confessional statement of apprehended co-accused and similarly situated co-accused persons have been granted the privilege of anticipatory bail by this Court/Co-ordinate Bench of this Court and nothing has been recovered from the conscious possession of the petitioner, 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, Sahapur Patory, Samastipur in connection with Mohiuddinagar P.S. Case No. 75 of 2025, 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

