

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86642 of 2025

Arising Out of PS. Case No.-80 Year-2020 Thana- GOPALPUR District- Bhagalpur

Ajay Kumar S/o- Bhikhari Sharma R/v- Tirasi Ps- Gopalpur Dist- Bhagalpur
... .. Petitioner/s

Versus

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

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Madhura Nand Jha, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gopalpur P.S. Case No. 80 of 2020, F.I.R. dated 13.03.2020 for the offences punishable under Sections 279, 337, 341, 323, 307, 504 and 34 of the IPC.

3. According to prosecution case, the informant along with his friend met with an accident with the accused persons. Therefore, all the four named accused persons have assaulted the informant and his friend due to which they received injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is not named in the F.I.R and his name has been transpired during investigation on the basis of the disclosure made by the apprehended co-



accused who happens to be the owner of the vehicle in question. He further submits that except the disclosure made by the apprehended co-accused person, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. Apart from that it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against the unknown accused persons.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the F.I.R and there is no specific allegation of assault or overt act attributed against the petitioner, let the petitioner, above named, in the event of his 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 ACJM-1, Naugachia, Bhagalpur in connection with Gopalpur P.S. Case No. 80 of 2020, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure 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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