

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2625 of 2025**

Arising Out of PS. Case No.-809 Year-2024 Thana- ALAMGANJ District- Patna

1.

Vicky Kumar S/o Ravi Paswan R/o Bhajrangpuri as tenant, P.S. - Alamganj, Distt.- Patna
2.

Avinash Kumar S/o Ravi Paswan R/o Bhajrangpuri as tenant, P.S. - Alamganj, Distt.- Patna

... .. Petitioner/s

Versus

1.

The State of Bihar
2.

Rekha Kumari W/o Mukesh Kumar C/o Prasant Singh , R/o Pallvi Nagar, P.S.- Alamganj, Distt.- Patna

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Kaushal Kishor, Advocate |
|                          | : | Mr. Tej Pratap, Advocate     |
|                          | : | Mr. Shankar Paswan, Advocate |
| For the Opposite Party/s | : | Mr. Raj Ballabh Singh, APP   |

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

524-04-2025

Heard Mr. Kaushal Kishor, learned counsel for the petitioners and Mr. Raj Ballabh Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Alamganj P.S. Case No. 809 of 2024, F.I.R. dated 14.09.2024 for the offences punishable under Sections 118, 109, 3(5) of B.N.S and 27 of Arms Act.

3. According to prosecution case, the informant alleged that the petitioners assaulted the husband of the informant.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although there is specific allegation against the petitioners that they have assaulted the husband of the informant and he has received injury but it is not clear that who has assaulted him and injury report of the injured persons suggest that injury is grievous in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is no specific allegation of assault or overt act rather there is general and omnibus allegation that the petitioners have assaulted the husband of the informant, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Patna City in connection with Alamganj P.S. Case No. 809 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)**

Suruchi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

