

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3252 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- MAHESHKHUNT District- Khagaria

Naresh Singh S/o Parmeshwar Singh Resident of Village- Kushwaha Nagar,
PS- Maheshkhunth, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate
For the State : Ms. Sangeeta Sharma, APP
For the Informant : Mr. Ajit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-03-2025 Heard Mr. Amar Kumar Singh, learned counsel for
the petitioner, Mr. Ajit Kumar, learned counsel appearing on
behalf of the informant as well as Ms. Sangeeta Sharma, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.10.2024 in connection with Maheshkhunt P.S. Case No. 165
of 2024, F.I.R. dated 17.09.2024 for the offences punishable
under Sections 126(2), 115(2), 109, 103(1) and 3(5) of the
Bhartiya Nyaya Sanhita.

3. According to prosecution case, all the accused
persons including this petitioner armed with weapons have
brutally assaulted the son and husband of the informant due to
which the husband of the informant died.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that although the petitioner is named in the F.I.R but it appears from the F.I.R itself that due to petty dispute the present occurrence has taken place. He further submits that from perusal of the F.I.R it appears that there is specific allegation against the petitioner that he has assaulted to son of the informant due to which he has received injury but the injury report of the son of the informant suggests that the injury is simple in nature caused by hard and blunt substance and the allegation of assault to the husband of the informant is attributed against the co-accused, namely, Arvind Singh. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 05.10.2024.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have 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 with the common intention, this petitioner along with another co-accused have assaulted the husband of the informant who has been declared dead.



6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no allegation of assault to the deceased against this petitioner and the injury received by the injured person is simple in nature, let the petitioner, above named, 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 Judicial Magistrate 1st Class, Khagaria in connection with Maheshkhunt P.S. Case No. 165 of 2024, subject to the 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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