

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5420 of 2025

Arising Out of PS. Case No.-409 Year-2024 Thana- SHEKHPURA District- Sheikhpura

Deepu Kumar Son of Ajo Paswan @ Aajo Paswan Resident of Village-
Kamasi Near Gurukul Academy, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Sarita Kumari, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Ms.Sarita Kumari, learned counsel for the

petitioner and Ms.Madhuri Lata, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sheikhpura P.S.Case No.409 of 2024, FIR dated 29.10.2024 registered for the offences punishable under Sections 126(2),115(2),109,117(2),352,351(2),3(5) of B.N.S., 2023.

3. Allegation against the petitioner is that he assaulted to the informant with stone causing injury on his left leg.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that it appears from the FIR that although the petitioner is named in the FIR and there is specific allegation



against the petitioner that he assaulted to the informant but the injury report of the informant suggests that although the informant has received three injuries but out of three injuries, injury Nos.1 and 3 are simple in nature and injury No.2 is inflicted upon the hand of the informant and the same is not on the vital part of the body of the informant.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that out of two cases, in one case, the petitioner is on bail and in another case, he has been acquitted by the learned court below itself, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No.409 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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