

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12686 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- CHAPRA TOWN District- Saran

Rajneesh Kumar @ Rajnish Kumar @ Rajnesh Kumar S/O Chandra Bhushan Prasad Resident of Village- Titira Tole, Hanumanganj, P.S- Mairawa, District- Siwan. At Present in the house of Ajay Pandey at Mohalla- Masumganj, near house of Ganesh Rai, P.S- Bhagwan Bazar, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned APP for the State, as also learned counsel for the informant.

2. The petitioner seeks bail in connection with Chapra Town P.S. Case No. 104 of 2024 instituted for the offence under Sections 341, 323, 324, 307/34 of the Indian Penal Code. Earlier vide order dated 27-09-2024, anticipatory bail of the petitioner was rejected.

3. Prosecution case in short is that co-accused persons including the petitioner have assaulted the friend of the informant, namely, Umesh Kumar Yadav and when the informant came to save him, petitioner gave a knife blow on forehead of the informant. It is also alleged that petitioner tried



to strangle him while sitting on his chest.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13-12-2024. Petitioner bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is land dispute between the parties. From perusal of the injury report, it would reveal that injury is simple in nature caused by hard and blunt substance. Hence, allegation of strangulation does not corroborate with the version of the prosecution. Other co-accused has been granted bail by this Court vide order dated 18-09-2024, passed in Cr. Misc. No. 49587 of 2024.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being land dispute between parties, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chapra Town P.S. Case No. 104 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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