

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15027 of 2025

Arising Out of PS. Case No.-642 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Rahul Kumar @ Rahul Raj S/o Birendra Kumar @ Birendra Kumar Rai @ Karu R/o Village- Senduari, PS- Sadar Hajipur, District- Vaishali
2. Rohit Kumar @ Rohit Raj S/o Birendra Kumar @ Birendra Kumar Rai @ Karu R/o Village- Senduari, PS- Sadar Hajipur, District- Vaishali
3. Birendra Kumar @ Birendra Kumar Rai @ Karu @ Virendra Kumar S/o Late Raman Rai @ Late Ramun Rai R/o Village- Senduari, PS- Sadar Hajipur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Rupa Kumari, Advocate
For the State	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-06-2025 Heard Ms. Rupa Kumari, learned counsel for the petitioners and Mr. Binod Kumar, learned Additional Public Prosecutor for the State as well Mr. Ashok Kumar, learned counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Hajipur P.S. Case No. 642 of 2024, F.I.R. dated 03.09.2024 for the offences punishable under Sections 126(2), 127(2), 115(2), 118(1), 324(3), 351(2), 352 and 3(5) of the BNS.

3. According to prosecution case, the petitioners along with other co-accused persons have assaulted the informant and his family members with various weapons.



4. Learned counsel for the petitioners submits that petitioner nos. 2 and 3 have clean antecedent and petitioner no. 1 carries one criminal antecedent other than the present one but petitioner no. 1 is on bail in the pending matter. He further submits that there is case and counter case and although there is specific allegation against these petitioners that they have assaulted the informant and his family members and they have received injury but the injury report of the injured person suggests that the injury is simple in nature caused by the hard and blunt substance.

5. The learned Additional Public Prosecutor as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioners and submits that the petitioner no. 1 carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner no. 1 is on bail in the pending matter.

6. Considering the aforesaid facts, the petitioner nos. 2 and 3 have clean antecedent, there is case and counter case and the injury inflicted upon the injured person is simple in nature, 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 C.J.M., Vaishali at Hajipur in connection with Hajipur P.S. Case No. 642 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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 tamper 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)

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