

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11077 of 2025

Arising Out of PS. Case No.-60 Year-2024 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Bipin Kumar Son of Late Maehilal Rai village- Lohsurka, ps- Tariyani
Chhapra, Dist- Sheohar Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Shankar Prasad, Advocate
Mr. Aalekh Anand, Advocate
Ms. Dimple Kumari, Advocate
Mr. Sourav Suman, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 01-08-2025 Heard Mr. Aditya Shankar Prasad, learned counsel

for the petitioner and Mr. Nand Kishore Prasad, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
31.07.2024 in connection with Tariyani Chhapra P.S. Case No.
60 of 2024, F.I.R. dated 30.07.2024 for the offences punishable
under Sections 329(4), 126(2), 115(2), 117(2), 109, 103(1) and
3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, this petitioner along
with other accused persons over a petty dispute brutally
assaulted the husband and brother-in-law of the informant and
during the course of treatment, her husband 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 the
petitioner and the informant are agnate to each other. It appears



from the F.I.R itself that due to some petty dispute the present occurrence has taken place. Although there is specific allegation against the petitioner and other accused persons that they have assaulted to the husband of the informant but the postmortem report does not support the allegation as alleged in the F.I.R against the petitioner.

5. Vide order dated 20.06.2025 a report was called with regard to the stage of the trial. Report of the learned Trial Court dated 28.06.2025 reveals that out of 13 chargesheet witnesses, 3 witnesses have been examined and the case is pending for the examination of rest of the prosecution witnesses.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 31.07.2024 i.e., almost one year.

7. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances, report of the learned Trial Court as well as period of custody, 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 Chief



Judicial Magistrate, Sheohar in connection with Tariyani Chhapra P.S. Case No. 60 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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