

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13126 of 2025

Arising Out of PS. Case No.-249 Year-2024 Thana- LALGANJ District- Vaishali

1. Chittu Kumar @ Kunal Kumar @ Chintu Kumar S/o- Amrendra Singh Village- Namidih Ghataro Chaturbhuj PS- Lalganj District- Vaishali Bihar 844119
2. Golu Kumar S/o- Amrendra Singh Village- Namidih Ghataro Chaturbhuj PS- Lalganj District- Vaishali Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Ravi Shankar, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-03-2025 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioners and Mr. Mukesh Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Lalganj P.S. Case No. 249 of 2024, F.I.R. dated 08.08.2024 for the offences punishable under Sections 126, 115(2), 118, 109, 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the petitioners alongwith other co-accused persons assaulted the informant on his head by means of *hasua*. When the brother the informant came to resuce him, the petitioners also assaulted him which



caused injury on head and cut on finger.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation against these petitioners rather there is general and omnibus allegation against these petitioners. Apart from that injury report of the injured persons suggest that the injuries are simple in nature except one which was described as grievous in nature but the injury report does not support the allegations as per the FIR and the similarly situated co-accused person namely Amrendra Singh has been granted anticipatory bail by the learned Court below vide order dated 22.10.2024 in A.B.P. 2402 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, that the petitioners have clean antecedent and injuries inflicted on the injured persons are simple in nature except one and the injury report did not support the allegations as per the FIR and co-accused person has been granted bail by the learned court below, 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 Chief Judicial Magistrate, Vaishali in connection with Lalganj P.S. Case No. 249 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 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 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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