

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12411 of 2025

Arising Out of PS. Case No.-444 Year-2024 Thana- PAHARPUR District- East Champaran

Rahul Kumar @ Rahul Sharma Son of Baleshwar Thakur Resident of Village
- Sareya Khaira Tola, P.O. - Sareya Bazar, Ward No. 7, VTC - Sarea Khas,
P.O. - Manguraha, Sub District - Paharpur, District - East Champaran, Bihar -
845458

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohd Rustam Hussain, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-05-2025 Heard Mr. Mohd. Rustam Hussain, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Paharpur P.S. Case No. 444 of 2024 for the offence under sections 126(2), 115(2), 118(1), 109(1), 303(2), 352 and 351(2) of the B.N.S. lodged on 06.10.2024 by the informant, Rajan Giri.

3. As per the prosecution story, the informant alleged that as he was moving towards temple and this petitioner with knife assaulted him twice which led to injury and the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent, is a student, the injury has been found to be simple in nature and is ready to face the trial. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the



informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 10,000/- towards the medical assistance of the informant through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that twice he has inflicted wound on the informant.

6. Taking into account the submissions of the parties as also that the injury has been found to be simple in nature, this petitioner has no criminal antecedent and is only nineteen years of age, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX (ACJM), East Champaran at Motihari in connection with Paharpur P.S. Case No. 444 of 2024 subject to the conditions as



laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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