

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13506 of 2025

Arising Out of PS. Case No.-346 Year-2024 Thana- NAUTAN District- West Champaran

1. Sujit Patel @ Sujeet Kumar S/o- Late Bhola Prasad Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran
2. Rajendra Patel @ Rajendra Prasad S/o- Late Yadolal Prasad Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran
3. Savitri Devi W/o- Rajendra Prasad @ Rajendra Patel Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran
4. Sandesh Patel @ Sandesh Kumar Patel S/o- Ghanshyam Prasad Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran
5. Chhedi Patel @ Chhedi Prasad S/o- Late Bunilal Prasad @ Late Bhuni Patel Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran
6. Lakshman Patel @ Laxman Kumar S/o- Late Bunilal Prasad Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran
7. Sunil Patel S/o- Late Bunilal Prasad Village- Khadda Bangala Tola Ps- Nautan Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025

Heard Mr. Brij Kishor Mishra, learned counsel

for the petitioners and Mr. Zainul Abedin, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Nautan P.S. Case No. 346 of 2024, F.I.R. dated
23.09.2024 for the offences punishable under Sections 126(2),
115(2), 118(1), 76, 303(2), 109, 352 and 3(5) of the Bhartiya



Nyaya Sanhita, 2023.

3. According to prosecution case, all these petitioners armed with garasa, farsa, iron rod, sword and lathi assaulted the informant and her family members. It is further alleged that petitioner no. 2 gave order to kill her, petitioner no. 7 assaulted her father-in-law, petitioner no. 1 assaulted to her son and other petitioners thrashed her on ground and petitioner no. 3 also snatched her mangal sutra worth Rs. 20,000/-.

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 the petitioners are named in the F.I.R and from perusal of the F.I.R it appears that there is specific allegation against the petitioner nos. 1, 2 & 7 but there is no specific allegation against the petitioner nos. 3, 4, 5 & 6 and there is case and counter case between the parties. He further submits that both the sides have sustained injuries. Although one of the injuries inflicted upon one Maksudan Prasad is grievous in nature but from perusal of the injury report of Maksudan Prasad it appears that the injury is on the finger of the right hand of him which is not the vital part of the body.

5. 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, there is case and counter case and all the injuries are simple in nature except one but the same is also not on the vital part of the body, 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 Sub Divisional Judicial Magistrate, Bettiah, District- West Champaran in connection with Nautan P.S. Case No. 346 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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