

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15199 of 2025

Arising Out of PS. Case No.-532 Year-2023 Thana- SUPAUL District- Supaul

1. Ravindra Sah @ Ravindra Kumar S/O Bhupat Sah R/O Vill.- Kharail Kampur, P.S.- Supaul, Dist.- Supaul
2. Shambhu Sah S/O Late Jamun Sah R/O Vill.- Kharail Kampur, P.S.- Supaul, Dist.- Supaul
3. Bhupat Sah @ Gupat Sah S/O Late Jamun Sah R/O Vill.- Kharail Kampur, P.S.- Supaul, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Pratibha Srivastava, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2025 Heard Mrs. Pratibha Srivastava, learned counsel for

the petitioners and Mr. Kalyan Shankar, learned APP for the

State.

2. The petitioners are apprehending their arrest in connection with Supaul P.S. Case No. 532 of 2023, F.I.R. dated 30.06.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 379, 385, 504, 506,34 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons having armed with Farsa and Sword and other weapons broke the door of the house of the



informant and entered into his house, and with intention to kill the informant and his family members, they started assaulting them due to which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that the present case is counter blast of Supaul P.S. Case No. 524 of 2023 filed by the petitioner against the informant and others on 28.06.2023 but the present F.I.R. instituted on 30.06.2023 after delay of five days of the date of occurrence. Learned counsel for the petitioners further submits that from perusal of the F.I.R., F.I.R. is in two parts, in first part, there is specific allegation of assault or overt act against co-accused person namely Arvind Sah and in second part, there is general and omnibus allegation against all the accused persons including these petitioners. She further submits that although the informant has received injury but the injury report of the informant suggests that the injury is simple in nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners and submits that petitioner no. 1 carries one more case and petitioner nos. 2 and 3 carries two more cases other than the present one but fairly



submits on the basis of paragraph-3 of the bail petition that the petitioners are on bail in the pending matters..

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation of any assault or overt act attributed against these petitioners and there is case and counter case between the parties, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 532 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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