

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15446 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- BAKHARI District- Begusarai

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1. Ashok Yadav Son of Late Bindeshwari Yadav Resident of village - Jaylakh Abhiman, Ward No.11, P.S. - Bakhri, District - Begusarai
 2. Anar Devi Wife of Ashok Yadav Resident of village - Jaylakh Abhiman, Ward No.11, P.S. - Bakhri, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Rajnish Kumar, learned counsel for the petitioners and Dr. Indihar Kumari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bakhri P.S. Case No. 309 of 2024, F.I.R. dated 06.08.2024 for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 109, 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, it is alleged that the petitioners assaulted the grandson of informant on his head by means of wooden *chela*.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR itself that due to some petty dispute between son of petitioners and grandson of the informant, the present occurrence took place. Although there is specific allegation of assault against the petitioners, the injury sustained by the victim is simple in nature.

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

6. Considering the aforesaid facts and circumstances and the fact that the injury sustained by the victim is simple in nature, 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, Begusarai in connection with Bakhri P.S. Case No. 309 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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