

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15280 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- KALYANPUR District- East Champaran

Umesh Rai S/o Kuchan Rai Resident of village- Madhuchhapra, P.S.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Ray, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner as well as Mr. Ajay Kumar Jha, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 92 of 2024, F.I.R. dated 02.04.2024 for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with one another co-accused person snatched Rs.55,000/- cash from the informant and also abused him. On protest, petitioner caught the informant and another co-accused person assaulted the informant with knife due to which he got injured.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that although



the petitioner is named in the FIR, but from perusal of the FIR, it appears that there is no specific allegation of assault on the petitioner rather allegation against the petitioner is that he caught hold the informant and co-accused person namely, Ramchandra Rai gave knife blow on informant's head due to which informant sustained injury. Although, the informant has received the injury, but injury report of the injured person suggest that all the injuries received by him are simple in nature.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation of assault against the petitioner and injury report of the injured person suggest that all his injuries are simple in nature, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 92 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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