

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28952 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- DIDARGANJ District- Patna

Bhola Ray Son of Late Ranjit Rai Resident of Mohalla - Didarganj Bichla
Tola, P.S.- Didarganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2025 Heard Mr. Rajesh Shankar Sinha, learned counsel for
the petitioner and Mr. Ram Sumiran Rai, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Didarganj P.S. Case No. 245 of 2024, F.I.R. dated 13.07.2024 for the offences punishable under Sections 126(2), 115(2), 352, 109 of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that when was sitting at Shiv Temple next to his house then his co-villager i.e. the petitioner arrived and started abusing him. When he objected, the petitioner assaulted him by means of rod.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. Although there is specific allegation against the petitioner that he assaulted the informant by means of rod and the informant received injury but the injury report of the informant suggest that injury is simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he assaulted the informant and apart from that the petitioner carries six criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, injury sustained by the injured person is simple in nature caused by hard and blunt substance, 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 J.M. I, Patna City in connection with Didarganj P.S. Case No. 245 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. 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 bond 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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