

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19942 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

Ajay Singh S/O Late Gudar Singh R/O Vill- Budhasi, P.S.- Mohammadpur,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2025 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mohammadpur P.S. Case No. 241 of 2024, F.I.R. dated 27.10.2024 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that on 27.10.2024 when he along with two other persons were at his cowshed, petitioner along with other accused persons arrived and assaulted them by means of *farsa* and iron rod.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case due to admitted land dispute between the parties and both the parties are aganate. From bare perusal of the FIR it transpires that there is specific allegation against the petitioner that he assaulted to one Vivek Kumar Singh by means of iron rod and he received injury but the injury report of the injured person suggest that injury is simple in nature caused by hard and blunt substance and there is case and counter case.

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

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and injury report of the injured person suggest that injury is simple in nature and there is case and counter case between the parties, 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 C.J.M. Gopalganj in connection with Mohammadpur P.S. Case No. 241 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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