

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20097 of 2025

Arising Out of PS. Case No.-226 Year-2023 Thana- GANGABRIDGE District- Vaishali

1. Vidhya Rai S/O Late Raghunath Rai R/O Vill- Terasiya, P.S.- Ganga Bridge, District- Vaishali.
2. Prem Rai S/O Vidya Rai R/O Vill- Terasiya, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2025 Heard Mr. Sunil Kumar Singh, learned counsel for the petitioners and Mr. Satyendra Narayan Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ganga Bridge P.S. Case No. 226 of 2023, F.I.R. dated 12.010.2023 for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other co-accused persons have assaulted the informant and his son with sharp cutting weapons.

4. Learned counsel for the petitioners submits that petitioner no. 1 has clean antecedent and petitioner no. 2 carries



two cases other than the present one and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that although the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act against these petitioners rather the specific allegation of assaulted is attributed against the co-accused persons, namely, Satyendra Rai, Kishan Dev Rai and Chintu Rai and apart from that the police after investigation submitted a final form in favour of the petitioners but the learned Court below had taken cognizance vide order dated 08.10.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R. and apart from that they have participated in the present crime in question and the petitioner no. 2 carries two cases other than the present one and petitioner no. 1 has clean antecedent.

6. Considering the aforesaid facts, there are no specific allegations against these petitioners in the F.I.R. and apart from that the police after investigation has submitted a



final form in favour of the petitioners and learned Court below had taken cognizance against these petitioners and other co-accused persons, 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 Judicial Magistrate-I, Vaishali, Hajipur in connection with Ganga Bridge P.S. Case No. 226 of 202, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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 tamper 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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