

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17815 of 2025

Arising out of PS. Case No.-160 Year-2024 Thana- ROSERA District- Samastipur

Bablu Rajak @ Babalu Rajak, Son of Late Sudhir Rajak Resident of Village-
Laxmipur Ward No. 23, P.S.- Rosera, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Section 103/3(5) of BNS. He has no criminal antecedent.

3. As per the FIR, the named accused persons came to the shop of the father of the informant and pulled him out from the shop and started assaulting him by fists and slaps and he was pushed on to the ground due to which blood started oozing out from his nose, thereafter, his wife came to his rescue and he was taken to the hospital for treatment but he died in midway.

4. It is submitted by learned counsel for the petitioner that there is general and omnibus allegation against all the ac-



cused persons and the petitioner has falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that from the perusal of the post-mortem report it would be evident that the cause of death is haemorrhage and shock due to brain injuries impact by hard and blunt substance. It is next submitted by learned counsel for the petitioner that the injuries and the allegations levelled in the FIR do not corroborate and hence the implication of the petitioner becomes doubtful. It is lastly submitted that the petitioner has clean antecedent and is in custody since 08.01.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner and others had assaulted the father of the informant who subsequently died as such the petitioner should not be granted bail.

6. Considering the aforesaid submissions of learned counsels and taking into account the fact that the allegations made in the FIR vis-a-vis post-mortem report and the petitioner is in custody since 08.01.2025, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief



Judicial Magistrate-I, Rosera at Samastipur in connection with
Rosera P.S. Case No. 160 of 2024, subject to the the following
conditions:-

(i) One of the bailors will be a
close relative of the petitioner.

(ii) The petitioner will remain
present on each and every date fixed by the
Court below, if so required by the learned Trial
Court.

(iii) In case of absence on two con-
secutive dates or in violation of the terms of the
bail, the bail bond of the petitioner will be liable
to be canceled by the Court concerned.

(iv) 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 crim-
inal 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 de-
layed for purpose of the same or in the name of



verification.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Vikash/-

U		T	
---	--	---	--

