

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26546 of 2025

Arising Out of PS. Case No.-413 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Punam Devi W/o- Sakesh Yadav Vill- Sri Nagar ward No 9 PS- S. kamal District- Begusarai
 2. Mukesh Kumar @ Mukesh Kumar Yadav @ Mukesh Yadav S/o- Late SAto Yadav Vill- Sri Nagar ward No 9 PS- S. kamal District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Sabal Kumar Jha, learned counsel for the

petitioners and Mr. Pradeep Narain Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with S. Kamal P.S. Case No. 413 of 2024, F.I.R.
dated 13.12.2024 for the offences punishable under Sections
126(2), 115(2), 352, 351(1), 351(2), 109(1), 303(2) and 3(5) of
the B.N.S.

3. According to prosecution case, the informant
alleges that one Saleshe Yadav forcefully sunk the cemented
pillar on her land and when she opposed then Saleshe Yadav
started abusing and quarreling with her, in the meantime, the



petitioner and other accused persons came together and started assaulting the informant and their family members with various weapons due to which they got injured.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that from a bare perusal of the F.I.R, it appears that due to some petty dispute, the present occurrence has taken place and the present case is the counter blast of the S. Kamal P.S. Case No. 412 of 2024 filed by the petitioners side against the informant and her family members. It is further submitted that although, the petitioners are named in the FIR, but from perusal of the FIR, it appears that there is no specific allegation of any assault or overt act against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. It is also submitted that although, the informant side has received injuries but injury report of the injured persons on the informant side suggests that all the injuries are found to be simple in nature caused by hard and blunt substance.

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



petitioners.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent, there is case and counter case and injuries report of the informant's side suggests that all the injuries are found to be simple in nature caused by hard and blunt substance, let the petitioners, above named, in the event of their 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 Sub-Judge-IV-cum-A.C.J.M.-IV at Begusarai in connection with S. Kamal P.S. Case No. 413 of 2024, 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)

priyanka/-

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

