

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25437 of 2025

Arising Out of PS. Case No.-76 Year-2024 Thana- PIPRIYA District- Lakhisarai

Shubham Kumar @ Subham Kumar Singh @ Suman Kumar S/o Suresh
Singh Resident Of Village- Mohanpur, P.S.- Pipariya, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Nibash Prasad, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-08-2025 Heard Mr. Ram Nibash Prasad, learned counsel for the

petitioner and Mr. Sunil Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Pipariya P.S. Case No. 76 of 2024, F.I.R. dated 22.08.2024
for the offences punishable under Sections 190, 191(2), 126,
115(2), 76, 329(3), 109, 352 and 351 of the Bhartiya Nyay
Sanhita, 2023.

3. As per the First Information Report, informant alleged
that the petitioner along with other accused persons entered his
house and demanded 10 kg fish. Upon refusal, the he was abused
and assaulted by means of iron rod and sticks and bricks. It is
further alleged that the accused persons entered in the house of
elder brother of the informant and assaulted and misbehaved with
sister-in-law of the informant.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged is false and fabricated and it appears from the FIR that date of occurrence is 20.08.2024 and the present FIR instituted on 22.08.2024 i.e. after delay of two days without giving reason of delay after thought only to falsely implicate the petitioner. Although there is specific allegation in the FIR that the petitioner along with others have assaulted to the informant by means of pistol butt that there is also allegation that the petitioner also assaulted to the informant by means of *lathi*, *danda* and other means.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the informant has received five injuries out of which three are simple in nature and one is grievous in nature but fairly submits that with respect to side injury it is not clear as to who has assaulted the informant.

6. Considering the aforesaid facts and circumstances, 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 Judicial Magistrate, 1st class, Lakhisarai in connection with Pipariya P.S. Case No. 76



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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