

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26446 of 2025

Arising Out of PS. Case No.-197 Year-2025 Thana- JAHANABAD District- Jehanabad

1. Ashish Kumar S/o Sanjay Sharma R/o village- Dhangawan, P.S.- Jehanabad, District- Jehanabad
2. Shubham Kumar S/o Pramod Kumar R/o Defence Colony, P.S.- Jehanabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP
For the Informant	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Pushpendra Kumar Singh, Advocate Mrs. Divya Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2025 Heard Mr. Ramakant Sharma, learned senior counsel for the petitioners, Mr. Vinod Shankar Modi, learned APP for the State and Mr. N.K. Agarwal, learned senior counsel for the informant.

2. The petitioners are apprehending their arrest in connection with Jehandabad Town P.S. Case No. 197 of 2025, F.I.R. dated 12.03.2025 for the offences punishable under Sections 126(2), 115(2), 109, 117(2), 74, 303(2), 352, 3(5) of the BNS.

3. According to prosecution case, the petitioners along with other unknown co-accused persons are said to have badly



assaulted the husband of the informant. It is further alleged that on protest by the informant, they snatched a gold chain and *mangalsutra* worth Rs. 6,00,000/- and they also snatched her hand bag in which she has kept Rs. 6,000/-.

4. Learned senior counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although there is specific allegation on the petitioners that they have assaulted the husband of the informant and he has received injuries but one injury is simple in nature which was inflicted by petitioner no.2 and allegation against the petitioner no.1 is that he has assaulted the husband of the informant and he has received injury in his hand and his injury report suggest that injury is greivous in nature. He further submits that the injury is in his hand which is not a vital part of the body.

5. The learned senior counsel for the informant and learned APP for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners have assaulted the husband of the informant and one of the injury on his hand is greivous in nature, so petitioners are not entitled for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances



that the petitioners have clean antecedent and as far as injury received by informant's husband is concerned, one injury is simple in nature and one injury on hand is greivous in nature which is not a vital part of the body, 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 Chief Judicial Magistrate, Jehandabad in connection with Jehandabad Town P.S. Case No. 197 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 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 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 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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