

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26383 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- HALSI District- Lakhisarai

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1. Satyendra Kumar S/o Anil Bind @ Arun Kumar R/o Village - Karunmachak,
P.S. - Halsi, Distt. - Lakhisarai
 2. Rajesh Kumar S/o Anil Bind @ Arun Kumar R/o Village - Karunmachak,
P.S. - Halsi, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2025 Heard Mr. Manoj Kumar, learned counsel for the
petitioners and Dr. Indihar Kumari, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Halsi P.S. Case No. 241 of 2024, F.I.R. dated 09.08.2024 registered for the offences punishable under Sections 352, 115, 126(2), 118(2), 3(5) of B.N.S.

3. Allegation against the petitioners is that they started abusing and assaulting the informant with spade due to which he sustained injury.

4. Learned counsel for the petitioners submits that the petitioner no. 2 having clean antecedent and petitioner no. 1 carries one more case other than the present one in which he is



on bail in the pending matter and they have been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as complaint petition filed by the petitioners' side that due to admitted land dispute, the present occurrence had taken place and both the parties are agnates to each other. Although, there is specific allegation against the petitioners that they have assaulted to the informant and the informant received injuries, the injury report of the informant namely Hareram Bind suggests that "*Depressed fracture of left lamina papyracea is noted*", the nature of injury is grievous which is not on the vital part of the body and apart from that both the parties have filed a compromise petition before the learned Court below (Annexure-4).

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that there is admitted land dispute and there is case and counter case between the parties as well as the injury inflicted upon the informant is not on the vital part of the body, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Lakhisarai in connection with Halsi P.S. Case No. 241 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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