

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31404 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Sanjay Kumar Tripathi S/o Ram Sagar Singh R/o Village- Banhaiti, P.S.-
Bibhutipur, Distt.- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-05-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bibhutipur P.S. Case No. 59 of 2025, registered for the offences punishable under Sections 126(2), 127(2), 115(2), 109, 118(1), 351(2), 3(5) of the BNS.

3. The allegation against the petitioner is of causing assault by means of bricks and butt of pistol, due to which the informant has sustained serious injuries and taken to hospital by the family members.

4. Learned Advocate for the petitioner contended that in fact, there was a scuffle between both the parties on account of resistance being made by the informant, who has taken money from the petitioner at the time of marriage of his



daughter. The occurrence as alleged has taken place in the morning of 09.02.2025, but the present FIR came to be lodged in the evening of 10.02.2025; the deliberation and the false implication of the petitioner cannot be ruled out. In fact the present case is nothing but instituted only in order to wreck vengeance and mount pressure upon the petitioner. Moreover, the injury sustained to the informant is found to be simple in nature and the petitioner bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioner has brutally assaulted the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of simple injury and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Rosera in connection with Bibhutipur P.S. Case No. 59 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further



condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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