

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34496 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- PATEPUR District- Vaishali

1. Hardeo Singh @ Herdeo Kumar S/o Mamekwal Singh @ Ramekwal Singh R/o Village- Maudah Chatur, P.S.- Patepur (Harlochanpur), District- Vaishali
2. Nishant Kumar @ Laddu S/o Herdeo Singh @ Herdeo Kumar R/o Village- Maudah Chatur, P.S.- Patepur (Harlochanpur), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kahkashan Alam, Advocate
For the State	:	Mr. Kanhaiya Kishore, APP-100

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Patepur P.S. Case No. 81 of 2025 for the offence registered under Sections 126, 115(2), 109, 303(2), 352, 351(2) and 3(5) of the B.N.S., 2025 lodged on 18.03.2025 by the informant Dharmnath Singh.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused side assaulted them. The allegation is that Vijay Kumar and Dilip Kumar gave sword blow on the head of the informant while Chandeshwar Singh and Rishikesh Kumar assaulted the informant with iron rod on



his head. Sakaldev Singh assaulted with the 'Dabiya' on the leg of one, Ram Sevak and so far as petitioner no. 2 is concerned, he took away the gold chain and Rs. 2,500/-. This led to the FIR.

4. Learned counsel for the petitioners submits that there is case and counter case, the other side (the petitioners) have also suffered due to assault by the informant side. The allegation of assault is mainly on aforesaid named accused, though, she concede that the petitioners have criminal antecedent and the last submission is that without accepting the allegation and/or the outcome of the present case, petitioner no. 1, Hardeo Singh intends to contribute Rs. 10,000/- towards the medical assistance of the informant through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that both the petitioners have criminal antecedent and allegation though omnibus, of assault is also against them.

6. Considering the submission of the parties as also the main allegation of assault is against the named accused recorded above, omnibus allegation is against these two petitioners and an undertaking has been given that they shall be co-operating in the investigation and diligently appearing in the



trial, in that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 10,000/- by the petitioner no. 1, namely, Hardeo Singh through Demand Draft issued by the local branch of the State Bank of India to be submitted to the trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XV, District-Vaishali at Hajipur in connection with Patepur P.S. Case No. 81 of 2025 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show is *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark



attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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