

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36738 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- SAKSOHRA District- Patna

1. Pallu Kumar @ Sanni Kumar S/o Dinesh Paswan R/o vill - Laxmipur, P.s. - Saksohra, Distt.- Patna
2. Rahul Kumar S/o Late Bachchu Paswan R/o vill - Laxmipur, P.s. - Saksohra, Distt.- Patna
3. Sohit Kumar s/o Late Bachchu Paswan R/o vill - Laxmipur, P.s. - Saksohra, Distt.- Patna
4. Kundan Kumar S/o Dharmendra Paswan R/o vill - Laxmipur, P.s. - Saksohra, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2025 Heard Mr. Ashok Kumar Kashyap, learned counsel
for the petitioners and Mr. Jagdhar Prasad, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Saksohra P.S. Case No. 135 of 2024, F.I.R. dated 21.11.2024 for the offences punishable under Sections 126(1), 115(2), 118(1), 109, 74 and 303(2) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including these petitioners abused and assaulted the informant and her sons, causing injuries to them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the date



of occurrence as alleged in the F.I.R is 19.11.2024 but the present F.I.R has been instituted on 21.11.2024 i.e., after delay of about 2 days without giving any explanation of the said delay. He further submits that as per the allegation in the F.I.R, petitioner no. 3 has assaulted to Amarjeet Kumar due to which he received injury but the injury report of the injured person suggest that the injury is simple in nature. He further submits that there is no specific allegation against the petitioner nos. 1, 2 and 4 rather there is general and omnibus allegation against them.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and the injury of the injured person is simple in nature, 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 Judicial Magistrate 1st Class, Barh, Patna in connection with Saksohra P.S. Case No. 135 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. 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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