

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33583 of 2025

Arising Out of PS. Case No.-110 Year-2023 Thana- TISIAUTA District- Vaishali

Rajeev Rai S/O Late Ram Nihora Ray R/O Vill- Lakshminarayanpur, P.S.-
Tisiauta, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-05-2025 Heard Ms. Rashmi, learned counsel for the petitioner
and Mr. Nitya Nand Tiwary, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Tisiauta P.S. Case No. 110 of 2023, F.I.R. dated 07.12.2023 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he has assaulted the informant due to which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case and there is case and counter case between the parties. Although, the petitioner is named in the F.I.R. and there is specific allegation against the petitioner that he assaulted to one Indradeo Roy who is informant in this case and



although the informant has received injury but the injury report of the informant (Annexure-3) suggests that the injury is simple in nature. He further submits that co-accused person namely Bindekh Ray has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 16.12.2024 passed in Cr. Misc. No. 85820 of 2024.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the injury inflicted upon the injured person is simple in nature, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 110 of 2023, 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) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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