

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36798 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- KHAIRA District- Saran

Vinit Prasad @ Vinit Kumar S/o Vinod Kumar @ Saxena Prasad R/o Village-
Khaira P.S.- Khaira, District- Saran At Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 19-09-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Khaira
P.S. Case No. 265 of 2024 instituted for the offence under
Sections 126(2), 115(2), 118(1), 118(2), 109, 303(2), 352,
351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that on 23.10.2024,
informant and his cousin Anuj Kumar Singh were attacked near
Javed Miyan's sawmill while collecting dues. The co-accused,
including petitioner, conspired and assaulted them with knives,
causing severe injuries, including kidney damage. Co-accused,
namely, Anuj Kumar was also attacked, and Rs. 3000/- was
stolen from him.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07-04-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner, rather allegation is general and omnibus in nature. Learned counsel for the petitioner submits that there are two folds allegation attributed to the petitioner; firstly, petitioner allegedly called the informant and secondly, petitioner inflicted knife blow upon the cousin of the informant. It is submitted that police after completion of investigation has submitted charge sheet in this case. Other co-accused has been granted bail by this Court vide order dated 22-03-2025, passed in Cr. Misc. No. 88146 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that injury is found to be grievous in nature and petitioner does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet



being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khaira P.S. Case No. 265 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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