

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37375 of 2025

Arising Out of PS. Case No.-579 Year-2017 Thana- SHERGHATI District- Gaya

Vikash Kumar @ Bikash Kumar S/o Dharmendra Prasad Resident of Village-
Nawada, PS- Sherghati, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Arun, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 579 of 2017, dated 05-10-2017, instituted for the offence punishable under Sections 341, 323, 504, 506, 290, 337 and 338, 307/34 of the Indian Penal Code.

3.The allegation against the petitioner is that he assaulted the informant and his two nephews with fists and slaps. It is further alleged that he also assaulted them by means of bamboo sticks, bricks, and stones.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that although three persons are claimed to have been injured in the occurrence, there is only



one injury report of Bajrangi Prasad (informant), is available on record. As per the injury report, the informant sustained an abrasion on the forehead and the doctor opined the injury to be simple in nature caused by a hard and blunt object. A copy of the injury report has been annexed as Annexure P-2 to the bail petition. It is submitted that the petitioner, a plumber by profession, had gone to the informant's house to collect his pending wages for plumbing work. Upon refusal by the informant's nephew, Santosh Kumar, and the petitioner's insistence, a scuffle took place during which Santosh Kumar allegedly assaulted the petitioner with a bamboo stick. The petitioner managed to escape the blow, which accidentally hit the informant, causing a minor abrasion. The petitioner has been in custody since 28.10.2024. Lastly, it has been submitted that three other criminal cases are pending against him. In the present case, the charge sheet has already been filed, and charges have also been framed.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Sessions Judge III, Sherghati (Dist- Gaya), in connection with Sherghati P.S. Case No. 579 of 2017 corresponding to Sessions Trial No. 201 of 2025, subject to the following conditions: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates. without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail

7. The application stands allowed.

(Khatim Reza, J)

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