

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36781 of 2025**

Arising Out of PS. Case No.-117 Year-2025 Thana- JAGDISHPUR District- Bhojpur

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Raju Pandey Son of Birju Pandey @ Baijnath Pandey @ Baiju Pandey R/o  
Village - Hatpokhar, P.S.- Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      25-06-2025                      Heard Mr. Ravindra Kumar, learned counsel for the  
petitioner and Mr. Md. Matloob Rab, learned Additional Public  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection  
with Jagdishpur P.S. Case No. 117 of 2025, F.I.R. dated 27.03.2025  
for the offences punishable under Sections 329(3), 324(4), 324(5),  
126(2), 316(2), 109, 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant  
alleged that on 27.03.2025, the petitioner along with other accused  
persons arrived at his house and broke into the shop situated in his  
house. On protest, they assaulted the informant and when the  
informant's son came to save him, the accused persons assaulted him  
also.

4. Learned counsel for the petitioner submits that petitioner  
has clean antecedent and he has falsely been implicated in the present



case and due to petty dispute the present occurrence has taken place. According to the FIR, there is specific allegation against the petitioner that he along with other co-accused person, namely, Aditya Choubey have assaulted the informant by means of wooden stick on his head but the injury report of the injured person(informant) suggest that only one injury is found on the informant and apart from that injury do not commensurate with the allegations levelled in the FIR.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and only one injury is found on the informant but the allegation is that two persons have assaulted the informant which suggest that injury does not support the allegations levelled in the FIR, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1st, Bhojpur, Ara in connection with Jagdishpur P.S. Case No. 117 of 2025, 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. 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.

ii. 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.

iii. 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 bond 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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