

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38275 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- SAHPUR District- Bhojpur

1. Shailesh Bind S/o- Jiut Bind @ Jiput Bind @ Jiyat Bin R/o - Hariharpur, P.S.- Shahpur, District - Bhojpur, Ara
2. Phulwari Bind S/o- Satram Bind Village- Bishunpura Doodpaat P.S.- Shahpur, District - Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ghanshyam Tiwary, Advocate
For the Informant	:	Mr. Shiv Prasad Gupta, Advocate
		Mr. Mickey Singh, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioners, learned counsel for the Informant and learned Additional Public Prosecutor for the state.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 352, 351(2), 3(5) and 103(1) of B.N.S., 2023.

3. The prosecution case is to the effect that the petitioners along with 13 other named and 4 to 5 unnamed persons are stated to have assaulted the informant and other family members by various means of lathi, sword, knife etc. with intention to kill. It is further alleged that several persons received injury and the persons who have come in order to rescue the informant, they were also assaulted by the accused



persons.

4. Learned counsel for the petitioners submits that one of the injured, namely, Ajay Bind succumbed to the injury sustained after 10 days of the occurrence. It is further submitted that there was case and counter case between the parties and from perusal of the FIR, it would be evident that altogether 15 named persons along with 4 to 5 unknown persons i.e., 20 persons are alleged to have assaulted without any specific allegations against the petitioners. Learned counsel further submits that similarly situated co-accused persons have already been granted the benefit of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 18.07.2025, passed in Cr. Misc. No. 43969 of 2025. Learned counsel has lastly submitted that petitioners have clean antecedent and they are in custody since 17.03.2025.

5. Learned counsel for the informant as well learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that petitioners had assembled with common intention to kill the informant and others and several persons were injured in the assault made by the petitioners and others and as such, they should not be enlarged on bail.

6. Considering the aforesaid submissions made by the



parties and taking into account the allegations being general and omnibus in nature and also the fact that similarly situated co-accused persons have already been granted anticipatory bail by a Co-ordinate Bench of this Hon'ble Court, let the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shahpur P.S. Case No. 63 of 2025, subject to the the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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