

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39958 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- BHEJA District- Madhubani

1. Suresh Saday S/O Mishreelal Saday Resident of Village- Barsm, P.S.- Bheja, Dist.- Madhubani
2. Dinesh Saday S/O Mishreelal Saday Resident of Village- Barsm, P.S.- Bheja, Dist.- Madhubani
3. Mukesh Saday S/O Mishreelal Saday Resident of Village- Barsm, P.S.- Bheja, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Ramchandra Jha Raman, learned
counsel for the petitioners and Mr. Umesh Lal Verma, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bheja P.S. Case No. 9 of 2025, F.I.R. dated 22.01.2025 for the offences punishable under Sections 126(2), 115(2), 76, 109, 333, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including these petitioners have brutally assaulted the informant and also took Rs. 3,000/-.



4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that due to admitted land dispute between the parties, the present occurrence took place. He further submits that the date of occurrence as alleged in the F.I.R./Complaint petition is 25.10.2024 but the present F.I.R has been instituted on 29.11.2024 and the same was registered as Bheja P.S. Case No. 9 of 2025 on 22.01.2025. Although there is specific allegation against the petitiones that they have assaulted to the informant due to which she has received injury but the injuries received by her are simple in nature except one which is grievous in nature and the same is on the hand which is not on the vital part of the body and there is no intention to kill the informant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioners carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioners are on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Jhanjharpur, District- Madhubani in connection with Bheja P.S. Case No. 9 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. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 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.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

