

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37328 of 2025**

Arising Out of PS. Case No.-108 Year-2025 Thana- BANIAPUR District- Saran

- 
1. Hareram Kumar Son of Lakhan Soni @ Lakhan Lal Prasad village-Satua Bazar , P.S-Baniyapur , Dist -Saran
  2. Salu Kumar @ Aditya Kumar son of Madan Kumar village-Satua Bazar , P.S-Baniyapur , Dist -Saran
  3. Golu Kumar @ Harimohan Soni son of Lakhan Soni village-Satua Bazar , P.S-Baniyapur , Dist -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate  
For the Opposite Party/s : Mr. Manoj Kumar, APP

---

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      18-06-2025                      Heard the parties.

2. The petitioners are apprehending their arrest in connection with Baniapur P.S. Case No. 108 of 2025 for the offence under sections 127(1), 115(2), 118(1), 109, 303(2), 351(2), 352 and 3(5) of the I.P.C. lodged on 16.03.2025 by the informant, Rajmati Devi.

3. As per the prosecution story, the informant alleged that there was a scuffle and his son wanted to pacify the matter, the allegation is that Golu Kumar and Shalu Kumar assaulted causing injury on the head. He was rushed to the Primary Health Center, Baniapur and then to Sadar Hospital, Chapra. This led to



the FIR.

4. Learned counsel for the petitioners submit that there is delay of three days in lodging of the FIR, exaggerated case has been made out against all the accused persons, the injury has been found to be simple in nature, the petitioners are young boys, students having no criminal antecedent. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs. 5,000/- each (totalling Rs. 15,000/-) towards the medical assistance of the injured through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that though the injury has been found to be simple in nature, the assault is on the head.

6. Taking into account the submissions of the parties as also that the petitioners are young boys, students, sending them to jail with hardened criminals may ruin their lives and they do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory



bail with conditions subject to payment of Rs. 5,000/- each (totalling Rs. 15,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to the informant after checking the credentials.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM/successor Court, Saran at Chapra in connection with Baniapur P.S. Case No. 108 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,  
failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any  
criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of their bail bonds.

**(Rajiv Roy, J)**

Adnan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

