

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37547 of 2025

Arising Out of PS. Case No.-402 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

Vijendra Kumar S/O Ramchandra Mahto Village- Laguniya Raghukanth,
Police Station- Muffasil, District- Samastipur Petitioner/s

Versus

The State Of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-08-2025 Heard Mr. Jay Prakash Singh, learned counsel for

the petitioner and Mr. Parmanand Kumar, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 402 of 2024, F.I.R. dated 28.09.2024 for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 74 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including this petitioner have brutally assaulted the informant and his family members over a petty dispute.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the F.I.R that due to some petty dispute the present occurrence took place. There is case and counter case between the parties. Although there is specific allegation that the petitioner has assaulted to the



informant on his hand due to which he received total three injuries but it appears from the injury report that out of three injuries two are simple in nature and one is grievous in nature which is inflicted upon the hand of the informant. It also appears from the injury report that pain and swelling was found on the right hand of the informant but the same is not the vital part of the body and no fracture was found on the hand of the informant.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is case and counter case between the parties and injuries inflicted upon the informant are not on the vital part of the body and all are simple in nature, let the petitioner, above named, in the event of his 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-II, Samastipur in connection with Muffasil P.S. Case No. 402 of 2024, 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 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	
---	--	---	--

