

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40534 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- LACHHUAR District- Jamui

Arun Kumar S/o Ayodha Ravidas Residet of Village- Jansidih,P.s- Lachhuar,
Dist-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niranjan Parihar, Advocate
For the Informant	:	Mr. Rajesh Kumar Sinha, Advocate
	:	Mr. Rahul Mani, Advocate
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mr. Abhijeet Abhigyan, learned counsel for the petitioner, Mr. Rajesh Kumar Sinha, learned counsel for the Informant and Mr. Mukesh Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lachhuar P.S. Case No. 19 of 2025, F.I.R. dated 05.03.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that on 04.03.2025 at about 6 P.M, when the informant returned to his house, suddenly the petitioner along with other co-accused persons arrived at his house, armed with axe, sword,



lathi, danda, iron rod etc and started abusing him in filthy language and assaulted him. When the father and mother of the informant came to rescue, the accused persons assaulted them also.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and there is case and counter case between the parties. It appears from the FIR that although the petitioner is named in the FIR and there is specific allegation that he assaulted the informant and the informant received injury but the injury report of the injured person suggest that injury is simple in nature and similarly situated co-accused person, namely, Arun Kumar, Kapil Kumar and Asha Kumari has been granted the privilege of anticipatory bail by the learned Court below.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the Informant submits that process under Section 82 has been initiated against the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and there is case and counter



case between the parties and injury inflicted upon the injured person is simple in nature, 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 JM 1st Class, Jamui in connection with Lachhuar P.S. Case No. 19 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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