

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41127 of 2025

Arising out of PS. Case No.-114 Year-2024 Thana- AGIAON BAZAR District- Bhojpur

Baleshwar Singh, S/o Late Nagina Singh, Resident of Village- Katariya, PS-
Agiaon Bazaar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s: Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 126(2), 115(2), 109(1), 117(2), 3(5) of BNS and later on Section 103(1) was added. He has no criminal antecedent.

3. As per the prosecution case, the informant has alleged that the named accused persons including the petitioner variously armed with lathi, danda and iron rod started assaulting the son of the informant. It is subsequently stated that one Niranjan Singh assaulted the son of the informant on his head with the iron rod and when the informant came to save him the petitioner is stated to have assaulted him on his hand causing fracture. It is further alleged that the son during course of the treat-



ment went into coma.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and there is general and omnibus allegation against him. It is further submitted by learned counsel for the petitioner that even if the allegation of assaulting the informant on hand is taken, the same is on the non-vital part of the body. It is also submitted by learned counsel for the petitioner that the petitioner is an elderly person and has falsely been implicated in this case along with the entire family of the petitioner. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 18.03.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that there is specific allegation to have assaulted the victim as such the petitioner should not be released on bail.

6. Considering the aforesaid submissions of the parties and also considering the nature of injuries as well as the period of custody of the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Agiaon Bazar P.S.



Case No. 114 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

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

(iv) 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 the same or in the name of verification.

7. It is made clear that the observations, if any,



made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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