

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39896 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- HUSSAINGANJ District- Siwan

1. Rahul Kumar, S/O Late Ishwar Chand R/O Village- Surapur Chhapia Bujurg , P.S- Hussainganj , District- Siwan.
2. Rajat Kumar, S/O Late Ishwar Chand R/O Village- Surapur Chhapia Bujurg , P.S- Hussainganj , District- Siwan.

... .. Petitioner's

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ashok Kumar, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-07-2025 Heard learned counsel for the Petitioners and
learned APP for the State.

2. The Petitioners seek bail, apprehending their arrest, in connection with Hussainganj P.S. Case No.118 of 2025, dated-05.04.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352 & 3(5) of the B.N.S., 2023.

3. As per allegation, the informant, his wife and child was assaulted by the Petitioners causing injury.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the alleged injury is simple in



nature, and hence, no case is made out under Section 109 B.N.S., 2023. He also submits that the allegation against the Petitioners is general and omnibus in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the Petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the Petitioners have no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the Petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Hussainganj P.S. Case No.118 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the Petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the Petitioners after hearing them and getting satisfied that the Petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the Petitioners.

(Jitendra Kumar, J.)

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