

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40525 of 2025**

Arising Out of PS. Case No.-307 Year-2022 Thana- GHORASAHAN District- East  
Champaran

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1. Shashi Kumar S/O Surendra Baitha Resident of village- Bankatwa, PS- Jitana, district- East Champaran
  2. Mithilesh Kumar @ Mithlesh Kumar S/O Surendra Baitha Resident of village- Bankatwa, PS- Jitana, district- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

3      02-09-2025                      1. Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 354B, 379, 307, 504, 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that as far as allegation of assault against Shashi Kumar (petitioner no.1) is alleged, the same is general and omnibus in nature. It is next submitted that petitioner no.2



Mithilesh Kumar is alleged to have assaulted the son of the informant by an iron rod causing injury on head, further other named accused are also alleged to have assaulted the side of the informant. It is next submitted that the son of the informant suffered simple injury, which amply demonstrates that petitioner no.2 never had any intention of committing a serious occurrence nor the blow is alleged to be repeated. It is next submitted that petitioner no.2 did not assault the son of the informant rather an altercation had taken place in between the side of the informant and the petitioners, in which both side assaulted each other and the informant falsely implicated the petitioners. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the



case is pending/successor court in connection with Ghorasahan P.S. Case No.307/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailors of the petitioners shall be their father, namely, Surendra Baitha.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

**(Satyavrat Verma, J)**

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