

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39861 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- Nagara District- Saran

Binod Rai @ Binod Ray, S/o Jugal Rai, R/o Vill- Affaur Rajpal Tola, P.S.-
Nagara, Distt- Saran.

..... Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Randhir Kumar, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioner seeks bail, apprehending his arrest, in connection with Nagra P.S. Case No.41 of 2025, dated- 14.03.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 3(5), of the Bharatiya Nyay Sanhita.

3. As per allegation, the petitioner along with other co-accused assaulted the informant by *lathi* and *danda* causing injury on her head.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that three lady co-accused have been already enlarged on anticipatory bail by the Court below. He



also submits that one co-accused against whom there was specific allegation of assault, has already been enlarged on bail by a co-ordinate Bench of this Court and the allegation against the petitioner is general and omnibus in nature because there is no specific role alleged by the informant against the petitioner. He further submits that the injury alleged is simple in nature caused by hard and blunt substance as per the medical report. He files a copy of the injury report on record.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has 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 petitioner has no criminal antecedents.

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

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned concerned Court Below, in connection with Nagra P.S. Case No.41 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 petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

(Jitendra Kumar, J.)

Chandan/-

U		T	
---	--	---	--

