

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41513 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- BAHERA District- Darbhanga

Radhakant Jha S/o- Late Pramod Jha Village- Basuham, P.S. Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-10-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bahera P.S. Case No. 114 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109 and 3(5) of the BNS.

3. As per the allegation made in the F.I.R., all the accused persons including the petitioner with an intention to kill assaulted the informant causing head injury.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has committed no offence as alleged. The allegation against him is false and fabricated.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.



6. Considering the nature of allegation made against the petitioner, **the learned District Court is directed to verify the injury attributable to the petitioner and if it is found that the injury sustained by the informant is grievous in nature, the petitioner may surrender and seek regular bail or if it is found that the injury sustained by the informant is simple in nature**, then in that case, the petitioner, above named, be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Benipur, Darbhanga in connection with Bahera P.S. Case No. 114 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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