

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41081 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- SARAI RANJAN District- Samastipur

1. Shivchandra Jha S/o- Late Shyam Nandan Jha Resident of village-Akhtiyarpur Ward No- 05 PS- Sarairanjan District-Samastipur
2. Shreeram Jha S/o- Shivchandra Jha Resident of village-Akhtiyarpur Ward No- 05 PS- Sarairanjan District-Samastipur
3. Balram Jha S/o- Shivchandra Jha Resident of village-Akhtiyarpur Ward No- 05 PS- Sarairanjan District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2025 Heard Mr. Abhay Shanker Singh, learned counsel
for the petitioners and Mr. Prem Kumar Jha, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sarairanjan P.S. Case No.57 of 2025, F.I.R. dated 24.03.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 74, 352, 351(2), 351(3), 3(5) of Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons came at his door and assaulted him and his family members.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. Due to some petty dispute the present occurrence has taken place and there is case and counter case between the parties. Although the petitioners are named in the FIR but there is no specific allegation of assault or overt act against them rather the allegation levelled against them are general and omnibus.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is case and counter case between the parties and there is no specific allegation against the petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Samastipur in connection with Sarairanjan P.S. Case No.57 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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