

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45268 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BALTHAR District- West Champaran

1. Rajan Prasad @ Rajan Lal Prasad, S/o- Amir Lal @ Amin Lal r/o Vill- Gauchari, Ward No-05, P.S.- Balthar, Dist- West Champaran
2. Roma Devi, W/o- Rajan Prasad @ Rajan Lal Prasad, r/o Vill- Gauchari, Ward No.-05, P.S.- Balthar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Balthar P.S. Case No. 34 of 2025 dated 16.03.2025 registered for the offences punishable under Sections 329(3), 126(2), 115(2), 118(1), 109, 352, 351(3) and 3(5) of B.N.S.

3. As per allegation, altercation took place between the informant and the accused/petitioner side leading to injury on both sides and lodging of case and counter case. The counter case filed by the petitioner is Balthar P.S. Case No. 35 of 2025.

4. Learned counsel for the petitioners submit that the



petitioners are innocent and have falsely been implicated in this case. He further submits that the alleged injury on the person of the informant side is simple in nature as per the medical report.

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 petition that the petitioner No. 1 has been made accused in another case in which he is on bail whereas petitioner No. 2 has got clean antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case and simple injury, **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 Balthar P.S. Case No. 34 of 2025, subject to the conditions as laid down under Section 482 (2) 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 other than disclosed one, 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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