

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43530 of 2025

Arising Out of PS. Case No.-294 Year-2023 Thana- JOGAPATTI District- West Champaran

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Vinay Kumar S/o Rameshwar Sah Resident of Vill- Badharwa, Dumari Bazar,
P.S.- Yogapatti, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with

Yogapatti P.S. Case No. 294 of 2023 dated 06.07.2023,

instituted for the offence punishable under Sections 341, 323,

324, 307, 354B, 504, 506, 379, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that, he

assaulted with *farsa* on the head of the informant and snatched

her mobile phone.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and he has been falsely implicated in this

case. It is further submitted that allegation of assault by means

of farsa by petitioner on the head of informant does not

corroborate with the injury report. The injury report mentioned



in paragraph 5 of the impugned order shows that Hematoma was found on the head of informant. There is no sharp cut injury on the head of the informant. Further submission is that the FIR has been lodged after 13 days of the alleged occurrence without any plausible explanation. It is further submitted that both the parties are neighbours and the occurrence took place due to pity dispute between them. Lastly, it has been submitted that petitioner has three criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Yogapatti P.S. Case No. 294 of 2023, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran, subject to condition as laid down under Section 482(2) of the B.N.S.S. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

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

(Khatim Reza, J)

Sankalp/-

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