

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45094 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- RAJIVNAGAR District- Patna

1. Saurav Kumar Mishra @ Saurav Mishra S/o Sudhakar Mishra Resident of Mohalla- Chadra Vihar Colony, Road No 14, P.S.- Rajiv Nagar, District- Patna
2. Rahul Kumar Mishra @ Rahul Mishra S/o Sudhakar Mishra Resident of Mohalla- Chadra Vihar Colony, Road No 14, P.S.- Rajiv Nagar, District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjay Kumar Pandey No.5, Advocate
For the Opposite Party : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-11-2025 Heard Mr. Sanjay Kumar Pandey No.5, learned Advocate for the petitioners and Mr. Chandra Sen Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Rajiv Nagar P.S. Case No. 184 of 2025, registered for the offences punishable under Sections 115(2), 126(2), 109(1), 351(2) and 3(5) of the Bhartiya Nyaya Sanhita 2023.

3. On the fateful day, one Bipin Kumar telephonically called the son of the informant to participate in playing Holi, whereupon the son of the informant went to play Holi, lateron, he informed his mother that both the petitioners have stabbed him in the stomach by knife.



4. Learned Advocate for the petitioners referring to the FIR contended that the alleged occurrence took place on 15.03.2025, but surprisingly the present FIR came to be registered on 18.03.2025. All the more, the victim was taken to private hospital and the injury report also *prima facie* appears to be manipulated, which does not corroborate with the prosecution's case. Petitioner No.1 is said to be a student pursuing his final year B.Pharm, whereas petitioner No.2 is a student of Intermediate. It is submitted that placing the petitioners behind the bars would certainly jeopardize the entire career of the petitioners as both of them are carrying fair incident.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that corresponding injury was found over the body of the injured.

6. Having considered the submissions advanced on behalf of the learned Advocates for the respective parties and taking note of the delay in lodging of the FIR coupled with the discrepancies in the injury report as well as the allegation besides the tender age of the petitioners, who are pursuing their studies, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below



within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Patna, in connection with Rajiv Nagar P.S. Case No. 184 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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