

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46124 of 2025

Arising Out of PS. Case No.-892 Year-2024 Thana- WAJIRGANJ District- Gaya

=====

Gagan Kumar Son of Vijay Singh Resident of Village- Kari Soba, P.S.-
Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2025 Heard Mr. Dharmveer, learned counsel for the

petitioner and Mr. Rajendra Nath Jha, learned Additional Public

Prosecutor for the State.

2. Learned counsel for the petitioner is allowed to
make necessary corrections in paragraph-1 of the bail
application during course of the day.

3. The petitioner is apprehending his arrest in
connection with Wazirganj P.S. Case No. 892 of 2024, F.I.R.
dated 24.11.2024 for the offences punishable under Sections
191(2), 191(3), 190, 126, 115(2), 118, 109, 308(2), 303(2),
324(4), 352, 351(2) of the Bhartiya Nyay Sanhita, 2023.

4. As per the First Information Report, the informant
alleged that when he was returning from Jamuawan sand ghat
with his friend in a Scorpio, in the meantime, the petitioner



stopped his vehicle and demanded Rs.50,000/- as *rangdari* from him. Upon refusal, the petitioner along with other accused persons assaulted the informant and his friend. It is further alleged that the the petitioner snatched golden chain from the informant and other accused persons broke the glass of the back of the said vehicle and took away Rs. 65,000/-.

5. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. As per allegation, the petitioner assaulted by knife on the neck of the informant and also snatched golden chain of the informant. He further submits that although there is specific allegation against the petitioner that he assaulted the informant by means of knife and the informant has received injury but the injury inflicted upon the injured person is simple in nature and as far as allegation of snatching of gold chain is concerned, the same is ornamental.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three criminal antecedents others than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the pending matters.



7. Considering the aforesaid facts and circumstances, injury inflicted upon the injured person is simple in nature, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XII, Gaya in connection with Wazirganj P.S. Case No. 892 of 2024, 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

