

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48448 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- PARASBIGHA District- Jehanabad

1. Balindra Yadav @ Balindra Kr. Singh @ Balindra Singh S/O Late Shivnandan Yadav R/O Village- Korma Milki, P.S- Parasbigha, Distt.- Jehanabad.
2. Gaurav Kumar S/O Balindra Yadav @ Balindra Kr. Singh @ Balindra Singh R/O Village- Korma Milki, P.S- Parasbigha, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Ballabh Singh, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Raj Ballabh Singh, learned counsel for the petitioners and Mr. Syed Ehteshamuddin, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Paras Bigha P.S. Case No. 60 of 2025, F.I.R. dated 26.03.2025 for the offences punishable under Sections 126(2), 109(1), 303(2), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that when he went to petitioner's house for collection of dues amount for thresher then the petitioners refused to pay the same and then the informant along with his associates were taking thresher with the help of tractor, then the petitioners along with other accused persons assaulted them.



4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. As per allegation in the FIR the petitioners have assaulted the informant by means of iron rod and informant has received injury but the injury report of the injured person suggest that injury is simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners. He further submits that petitioner no.2 has clean antecedent and petitioner no.1 carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that petitioner no.1 is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances and the fact that the injury inflicted upon the injured person is simple in nature, 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, Jehanabad in connection with Paras Bigha P.S. Case No. 60 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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