

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48406 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- AKILPUR District- Saran

Binod Rai @ Binod Kumar S/o- Champu Rai R/o Village - Purani Panapur,
Dinara, P.S.- Akilpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr.Ranjan Kumar, learned counsel for the
petitioner and Mr.Chandra Bhushan Prasad, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Akilpur P.S. Case No.25 of 2025, dated 05.03.2025 registered for the offences punishable under Sections 191(2), 190, 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2) & 351(3) of B.N.S., 2023.

3. Allegation against the petitioner is that he assaulted to the informant by means of iron rod causing injury on his head.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. It appears



from the FIR itself that due to admitted land dispute the present occurrence has taken place and the present case is counter blast of Akilpur P.S.Case No. 19 of 2025 which was filed by the petitioner's side against the informant and his family members on 15.02.2025 itself. Although it appears from the FIR that the date of occurrence as alleged in the FIR is 15.02.2025 but the present FIR has been instituted on 05.03.2025 after delay of about 20 days without giving any explanation of delay apart from that, there is no specific allegation against the petitioner in the FIR and the injury inflicted upon the injured person is simple in nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the FIR apart from that, there is direct and specific allegation against the petitioner that he has assaulted to the informant by means of iron rod but fairly submits that on the basis of the impugned order that the injury inflicted upon the injured person is simple in nature.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case and the injury inflicted upon the injured person is simple in nature, let the petitioner, above named, in the event of his 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 learned J.M. 1st Class, Saran at Chapra in connection with Akilpur P.S. Case No.25 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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/her absence on two consecutive dates without sufficient reason, his/her 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/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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