

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47368 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- BACHHWARA District- Begusarai

1. Nitish Kumar S/O Jogi Ray @ Jageshwar Ray @ Jago Ray R/O Village- Chiraiya Tok, ward no. 12, Makra Tole, PS- Bachhwara, district- Begusarai
2. Murari Kumar S/O Arbind Ray R/O Village- Chiraiya Tok, ward no. 12, Makra Tole, PS- Bachhwara, district- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-07-2025 Heard Mr. Krishna Prabhat, learned counsel for the petitioners and Mr. Parmanand Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bachhwara P.S. Case No. 42 of 2025, F.I.R. dated 12.02.2025 for the offences punishable under Sections 115(2), 127(1), 117(2), 109, 303(2), 3(5), 351 of Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that while he was returning home, the petitioners along with other co-accused persons arrived and assaulted him by means of iron rod and threw him off a bridge. It is further alleged that the accused persons took Rs.1500/- from his pocket and snatched a gold chain from his neck and also threatened him



of dire consequences.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that specific allegation of assault is against co-accused person, namely, Arbind Ray. There is no specific allegation of assault against these petitioners rather the allegation against them are general and omnibus that the petitioners along with other co-accused persons have thrown the informant off a bridge.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against these petitioners and petitioners have clean antecedent, 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 C.J.M, Begusarai in connection with Bachhwara P.S. Case No. 42 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)

Suruchi/-

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

