

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48034 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. Sonu Kumar S/o Baiju Yadav R/o Vill- Naili, P.S.- Magadh Medical, Distt- Gaya
 2. Sundar Kumar @ Sunny Kumar S/o Baiju Yadav R/o Vill- Naili, P.S.- Magadh Medical, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Arvind Kumar Singh, learned counsel for the petitioners and Mr. Anil Kumar Singh No. 1, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Magadh Medical P.S. Case No. 90 of 2025, F.I.R. dated 20.03.2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 110, 352, 351(2) and 3(5) of the B.N.S.

3. Allegation against the petitioners is that they have assaulted the informant due to which her hand fractured.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed and offence as alleged in the F.I.R. and there is case and counter case between the parties. From perusal of the F.I.R. it appears that the petitioners are named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. It appears from the impugned order that the informant has received injury but she has received injury on her hand which is not on the vital part of the body.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is case and counter case between the parties as well as there is no specific allegation against the petitioners in the F.I.R., let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Vth, Gaya in connection with Magadh Medical P.S. Case No. 90 of 2025, subject to the conditions as laid down under Section 438(2)



of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023
and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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