

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52501 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- Bhimnagar District- Supaul

Bindeshwari Sah @ Bindeshwar Sah Son of Sri Hazari Sah Resident of
village - Raghunathpur, Ward No.- 4, P.S.- Bhimnagar, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable u/s 191(2), 190, 329(4), 74, 76, 126(2), 115(2), 118(1), 303(2) of the B.N.S.

3. As per the prosecution case, the petitioner and other co-accused persons are alleged to have assaulted the informant with *Dabiya* with an intention to kill her and fractured her legs and hands.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and the allegation levelled in the F.I.R. is not corroborated from the injury report which has been brought on record by way of Annexure-P/2 and from perusal of the same, it was found that the injuries which were sustained by



the informant are simple in nature. It is next submitted that there is a case and counter case for the same occurrence and even prior to the present occurrence the informant has lodged two complaint cases against the petitioner and others which are still pending at the stage of inquiry. It is also submitted that there is two title suits pending between the parties which goes on to show that the petitioner has falsely been implicated in the present case. It is lastly submitted that the petitioner has two antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul, in connection with Bhimnagar P.S. Case No. 58 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

(i) One of the bailors will be a close relative of the petitioner.



(ii) *The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*

(iii) *In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.*

(iv) *If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.*

(v) *The learned 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 antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.*

7. This application stands allowed.

(Sourendra Pandey, J)

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