

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53545 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- Mufassil District- Purnia

1. Subodh Singh S/o Baleshwar Singh
2. Vijay Kumar @ Vijay Kumar Singh, son of Sri Subodh Singh
Both R/o Vill- Satdev Beluri, P.S.- Raniputra, Distt- Purnea
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

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

2. The petitioners seek bail in connection with
Mufassil P.S. Case No. 227 of 2024, registered for the offences
punishable under Sections 191(2), 191(3), 190, 126(2), 351(2),
118(2), 115(2), 118(1), 117(2), 109 and 103(1) of Bharatiya
Nyaya Sanhita, 2023.

3. The learned counsel for the petitioners submit that
the petitioners are persons with clean antecedent.

4. The prosecution case is to the effect that the
informant in her written report stating therein that while the



children of the family members were playing on the rooftop of one Subodh Singh, the petitioners along with other named co-accused and four unknown persons came to the house of the informant armed with deadly weapons. It is alleged that the husband of the informant, namely, Dinesh Sahani was assaulted by lathi, danda. It has been stated that the husband of the informant was taken to the hospital and during the course of treatment, he succumbed to the injuries.

5. The learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case and from mere perusal of the FIR it would be evident that there is general and omnibus allegation against all the accused persons. It has further been submitted that the falsity of the prosecution case as far as the implicity of the petitioners in the present case is concerned, would be seen from the fact that police after investigation found the case not true against the petitioners and a final form was submitted. The learned counsel further submits that however despite such submission of final form, the learned court below on its own has taken cognizance of the offences against the petitioners. The learned counsel submits that during the course of investigation, no material has come to connect the petitioners with the said incident. It has



lastly been submitted that the petitioners have clean antecedent and they are in custody since 18.11.2024.

6. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioners are named accused and there is specific allegation upon the petitioners to have assaulted the husband of the informant who died during the course of treatment.

7. Considering the aforesaid submissions made by the respective parties and taking into account that there is general and omnibus allegation against the petitioners, also the fact that other accused persons have already been enlarged on bail vide order dated 20.06.2025 passed in Cr. Misc. No.28467 of 2025 and by order dated 21.05.2025 passed in Cr. Misc. No.32016 of 2025, the petitioners above named, are directed to 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 the learned court below where the case is pending/successor court in connection with Mufassil P.S. Case No. 227 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.

(ii) The petitioners shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Prakash Narayan

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