

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53511 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- KOILWAR District- Bhojpur

Yogendra Rai S/o Dev Kumar Ray @ Damdam Ray R/o village - Ward no -
4 , Koilwar, P. S - Koilwar , District – Bhojpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-08-2025 Heard Mr. Ravi Kumar, learned counsel for the

petitioner and Mr. Pramod Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Koilwar P.S. Case No. 31 of 2025, F.I.R. dated 30.01.2025 for the offences punishable under Sections 126(2), 115(2), 109, 132 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, this petitioner along with other accused persons have assaulted the informant by means of lathi and danda due to which he received severe injuries.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. It appears from



the F.I.R itself that on the basis of the CCTV Footage the petitioner has falsely been implicated in this case and there is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in question and apart from that the petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against the petitioner rather there is general and omnibus allegation against all the accused persons and the injury is simple in nature, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur in connection with Koilwar P.S. Case No. 31 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. 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 absence on two consecutive dates without sufficient reason, his 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 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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