

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52626 of 2025

Arising Out of PS. Case No.-776 Year-2024 Thana- GARKHA District- Saran

1. Pawan Kumar Singh @ Pawan Singh Son of Late Rajendra Singh Village- Thikhan (Maricha), P.S- Garkha, Dist- Saran at Chapra
2. Tuntun Singh Son of Late Rajendra Singh Village- Thikhan (Maricha), P.S- Garkha, Dist- Saran at Chapra
3. Arvind Singh Son of Late Rajendra Singh Village- Thikhan (Maricha), P.S- Garkha, Dist- Saran at Chapra
4. Madhu Kumari Daughter Of Pawan Kumar Singh @ Pawan Singh Village- Thikhan (Maricha), P.S- Garkha, Dist- Saran at Chapra
5. Sanju Devi Wife of Pawan Kumar Singh @ Pawan Singh Village- Thikhan (Maricha), P.S- Garkha, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the State : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-08-2025 Heard Mr. Jeetendra Narayan, learned counsel for the petitioners and Mr. Amitesh Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Garkha P.S. Case No. 776 of 2024, F.I.R. dated 19.12.2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 74, 303(2), 109, 352 read with Section 3(5) of the B.N.S.

3. Allegation against the petitioners is that they have



abused and assaulted the informant and his family members due to which they sustained injuries.

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 any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that there is specific allegation of assault attributed against the petitioners namely Tuntun Singh and Pawan Kumar Singh. Although, the informant has received injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance and there is case and counter case between the parties.

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 and the injury inflicted upon the injured person (informant) is simple in nature, 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 Judicial Magistrate 1st Class, Saran at Chapra in connection with Garkha P.S. Case No. 776 of 2024, 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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