

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58011 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- MUSAHARI District- Muzaffarpur

Jai Prakash, Son of Nand Kishor Sah, Resident of village - Nayagaon, P.S.-
Mushahari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Musahari P.S. Case No. 34 of 2025, dated 04.03.2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 352, 351(2) and 3(5) of B.N.S., 2023.

3. As per allegation, the petitioner and other co-accused came to the house of the informant and started abusing and assaulting, causing fracture on head of the informant and Rs.4,000/- was also snatched from the bag of the informant.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that as a matter of fact, the petitioner



and the informant's side are agnates and there is land dispute between them and hence, this false case has been filed. He further submits that the alleged injury is simple in nature as it transpires from the order dated 11.06.2025, passed by learned Trial Court, whereby learned Trial Court rejected the anticipatory bail petition of the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Musahari P.S. Case No. 34 of 2025, subject to the



conditions as laid down under Section 482 (2) of the B.N.S.S.,
2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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