

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54530 of 2025

Arising Out of PS. Case No.-349 Year-2023 Thana- MASHRAK District- Saran

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Vishal Kumar S/o Dilip Singh Village- Chand Barwa (Chakala), PS-
Mashrakh, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Nalin Kumar, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, APP
For the Informant	:	Mr. Jeetendra Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-09-2025 Heard Mr. Nalin Kumar, learned counsel for the

petitioner, Mr. Jeetendra Narayan, learned counsel appearing on

behalf of the informant as well as Mr. Umanath Mishra, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.03.2025 in connection with Mashrakh P.S. Case No. 349 of
2023, F.I.R. dated 30.06.2023 for the offences punishable under
Sections 341, 323, 307, 379/34 of the Indian Penal Code.

3. According to prosecution case, the informant
alleged that on 17.06.2023, when she was making meal in her
house, in the meantime, the petitioner along with other co-
accused persons entered her house and asked about her husband.
Thereafter they assaulted her and when her husband came, the



accused persons assaulted her husband by means of rod and lathi causing injury on head. It is further alleged that the ladies member of petitioner side assaulted the informant and her son and also snatched gold ear ring and gold chain from her.

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 due to admitted land dispute that the present occurrence has taken place. From bare perusal of the FIR, it appears that FIR is in two parts, in first part there is allegation that petitioner and other co-accused person assaulted the informant and in second part there is general and omnibus allegation that they assaulted to the family members of the informant and appears from perusal of the injury report of the husband of the informant that out of two injuries received by him one is grievous in nature and other is simple in nature. The police after investigation submitted chargesheet and the petitioner is in custody since 01.03.2025.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R it appears that there is direct and specific allegation against the petitioner that he along



with other co-accused person have assaulted to the husband of the informant and apart from that regular bail application of co-accused person, namely, Sandeep Kumar @ Sandeep Singh has been rejected by co-ordinate bench of this Court vide order dated 20.07.2024 in Cr. Misc. No. 13909 of 2024 and the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances and nature of allegation and period of custody, let the petitioner, above named, 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 Additional Chief Judicial Magistrate, VIIth, Saran, Chapra in connection with Mashrakh P.S. Case No. 349 of 2023, subject to the 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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