

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56894 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- AWTARNAGAR District- Saran

Ashutosh Kumar S/o Ram Naresh Rai @ Nand Lal Rai R/o Village-
Maujampur, P.S.- Awatar Nagar, District- Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-08-2025

Heard Mr. Binod Murari Mishra, learned Counsel for

the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Awtar Nagar P.S. Case No. 100 of 2025 for the offence registered under sections 126(2), 118(1), 109, 115(2), 3(5) of the BNS lodged on 13.04.2025 by the informant, Navin Kumar.

3. As per the prosecution story, the informant alleged that the petitioner and his sister entered the house of the informant and attacked him causing injury. He was shifted to the Dighwara Hospital which followed the FIR.

4. Learned Counsel for the petitioner submits that a simple scuffle has been given the allegation of assault, the learned Sessions Judge order shows that it is abrasion and simple in nature, this petitioner has no criminal antecedent and further submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would



like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that they entered the house and allegation of assault is there.

6. Considering the submissions of the parties as also the fact that the petitioner is a young boy, student, having no criminal antecedent, injury has been found to be simple in nature, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 5,000/- to the informant as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Chapra (Saran) in connection with Awtar Nagar P.S. Case No. 100 of 2025 subject to condition as laid down under Section 438(2) of



the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate to be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

