

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61798 of 2025

Arising Out of PS. Case No.-301 Year-2023 Thana- SALAKHUA District- Saharsa

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Raj Kumar @ Raj Kumar Badhai S/O Uttam Badhai R/O Village- Pahlam,
Ward No.13, P.O- Paharpur, P.S- Salkhua (Banma Itahari O.P.) at present P.S-
Banma Itahari, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 302 and 34 of the Indian Penal Code.

3. The case of the prosecution is that as the wife of the informant reached near the house of accused Uttam Badhai, the petitioner along with others chased her for assaulting. It is further alleged that Prince Badhai, Uttam Badhai and Pradip Badhai assaulted her with bricks, *pasula* and iron rod respectively. It is also alleged that other family members assaulted her with slaps and fists and took her



jewellery.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the specific allegation is against Prince Badhai, Pradip and Uttam. The petitioner is only the member of mob. As per FIR, there is no specific overt act against him. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.09.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail stating that the wife of the informant died during treatment and there is allegation against this petitioner as well of assaulting.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Salkhua (Banma Itahari O.P.) P.S. Case No. 301 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



District and Additional Sessions Judge-IV, Saharsa.

(Ashok Kumar Pandey, J)

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