

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57838 of 2025

Arising Out of PS. Case No.-53 Year-2018 Thana- BAJPATTI District- Sitamarhi

Deocharan Mukhiya Son of Mahabir Mukhiya Resident of Village Hari -
Chhapra, P.S. - Dumra, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Sharma, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 34 of the Indian Penal Code.

3. As per the FIR, the informant and his brother were intercepted by Raju Kumar, Suzit Kumar and other 3-4 persons while returning from examination. The assault was allegedly due to the informant's refusal to assist the petitioner during the examination. The accused persons also snatched Rs.1800/- from the informant's brother and co-accused Suzit Kumar gave knife blow in the back of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no



offence as he has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The petitioner is not named in the F.I.R and there is no specific allegation against him. The knife blow to the informant's back was inflicted by co-accused Suzit Kumar. It is further submitted that informant has compromised the matter, and both the parties have filed compromise petition before the Additional District and Sessions Judge, Sitamarhi (Annexure-3). It is further submitted that petitioner is a student of B.Com, and his career will suffer significantly if he is sent to judicial custody. Petitioner has no criminal antecedents.

5. Learned APP for the State vehemently opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Pupari, Sitamarhi/Successor Court in connection with Bajpatti P.S. Case No.53 of 2018, subject to the



conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

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

(Ajit Kumar, J)

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