

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57849 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- BETTIAH CITY District- West
Champaran

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Vishwajeet Kumar S/O Vijay Kumar Rai R/O Village- Durgabagh, Bangali
Colony, Ward No 32, Police Station- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap
For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 10-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bettiah Town P.S. Case No.181 of 2025 dated 25.04.2025, registered for the offence punishable under Sections 126(2), 115(2), 118(1), 303(2), 109, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, while the informant was drinking water near a hand pump, the petitioner allegedly took Rs. 6,000/- from his pocket. When the informant protested, Vijay and the petitioner's mother arrived with an iron dab and an iron pipe, and the petitioner, along with the others, assaulted him on the head, resulting in injuries.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the nature of the injuries does not corroborate the allegations levelled in the FIR. Insofar as this petitioner is concerned, it is pointed out that the petitioner's mother, who was also implicated in this case, has not been sent up for trial after investigation, whereas the other two co-accused persons, namely Vijay and Birbal, who were arrested, have been granted the privilege of regular bail by the court below. Learned counsel for the petitioner, drawing the attention of this Court to the nature of the injuries said to have been received by the informant, submits that although the injuries have been recorded as grievous, they consist only of an abrasion on the left side of the forehead and a laceration on the occipital region. It is further submitted that the petitioner is a 19 year old boy, and during the course of investigation it transpired that the informant had visited the petitioner's shop, purchased some food, and refused to pay, which resulted in a scuffle, during which the injuries are said to have been caused. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the



State has opposed the prayer for bail of the petitioner.

6. Taking into account the nature of injury, 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 Chief Judicial Magistrate, Bettiah, West Champaran/Successor Court in connection with Bettiah Town P.S. Case No.181 of 2025, 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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