

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61589 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- PALIGANJ District- Patna

1. Shailesh Kumar @ Badakun Kumar S/O Late Vineshwar Yadav @ Vindeshwar Yadav @ Vindeshwari Yadav R/O Vill.- Madhwan, P.S.- Paliganj, Dist.- Patna.
2. Deepak Kumar S/O Dhananjay Yadav R/O Vill.- Madhwan, P.S.- Paliganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Paliganj P.S. Case No. 178 of 2024 for the offence registered under sections 341, 323 307, 504, 506 and 34 of the Indian Penal Code lodged on 14.05.2024, by the informant, Raushan Kumar.

3. As per the prosecution story, the informant alleged that he went to demand the share of rice for his field which was let out to Vineshwar Yadav. However, he was not only abused, both the petitioners assaulted on the head/body causing injuries, this led to the FIR.

4. Learned Counsel for the petitioners submit that the



allegation is of 25.04.2024 but the FIR was lodged after a fortnight on 14.05.2024, from the record, it is not clear that whether the injuries were found to be grievous, both the petitioners do not have criminal antecedent, subsequently, they have come to an amicable settlement and the last 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. 2,500/- each (totaling 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 allegation is against both the accused persons of assaulting the informant.

6. Taking into account the submissions of the parties as also the fact that the injury record is not there, both petitioners do not have criminal antecedent, as per annexure 2, they have come to an amicable settlement, FIR lodged, they shall be facing the trial, in that background, this Court is



inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 2,500/- each (totaling Rs. 5,000/-) 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 petitioners 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 SDJM, Danapur in connection with Paliganj P.S. Case No. 178 of 2024 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 petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 petitioners shall appear before the concerned police station every fortnight for next six months to mark



attendance;

(iv) the petitioners 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 petitioners 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)

Raj Ranjan/-

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