

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60692 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- SARE District- Nalanda

1. Virendra Kumar S/o Akhilesh Prasad Resident of village - Benar, P.S.- Sare, Distt.- Nalanda
2. Sudhir Kumar S/o Lat Navin Kumar Resident of village - Benar, P.S.- Sare, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Manoj Kumar, learned counsel for the petitioners as well as Ms. Pushpa Sinha, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sare P.S. Case No. 88 of 2025, F.I.R. dated 13.06.2025 for the offences punishable under Sections 126(2), 115(2), 117(2), 118(1), 352, 3(5), 109(1) of the BNS, 2023.

3. According to prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant with knife due to which he sustained injuries.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that from a bare



perusal of the FIR, it appears that due to some admitted land dispute, the present occurrence has taken place. He further submits that although, the petitioners are named in the FIR, but there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. It is further submitted that although, the informant has received injuries but his injury report (Annexure-P-2) suggests that the injuries are simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent, there is no specific allegation against the petitioners in the FIR and injuries inflicted upon the informant are found to be simple in nature caused by hard and blunt substance, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-X, Nalanda at Bihar Sharif in connection with Sare P.S. Case No. 88 of 2025, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

priyanka/-

U		T	
---	--	---	--

