

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63343 of 2025

Arising Out of PS. Case No.-164 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Sandeep Kumar S/o- Shambhu Kumar Mehta Village- Shivrampur Ps- Piribazar
Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 10-09-2025 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, 504, 354B/34 of the Indian Penal Code.

3. As per the FIR, a dance programme was organized by the villagers in the premises of the village school, near the house of the informant. It has been alleged by the informant that petitioner and other co-accused persons came near her house in an intoxicated condition and started abusing. When the informant protested, petitioner along with his father and brother, abused and assaulted her, and threatened to eliminate her family. When the son-in-law of the informant came to rescue her, the petitioner assaulted him with a rod due



to which he sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to dirty village politics. The petitioner is an employee of the CRPF and had come to his village on the eve of Chhath Puja, where the son-in-law of the informant asked the orchestra party to play vulgar songs, which was protested by the villagers. This led to some stone pelting, resulting in injury to one person. The petitioner's younger brother, namely Masum Kumar, who was a member of the organizing committee of Chhath Puja, went to pacify the matter, due to which the petitioner and his family members have been made accused. It is submitted that the injury received by the injured is simple in nature. During the course of the altercation, the injured person is said to have suffered a fractured finger, and the fact of such injuries occurring during stone pelting by the mob cannot be ruled out. It is next submitted that the parties have compromised the matter, and a compromise petition has also been submitted before the learned Sessions Judge, Lakhisarai. It is further submitted that after investigation, the police have submitted chargesheet under Sections 348, 323, 325, and 504/34 of the Indian Penal Code against the petitioner and his younger brother; however, the



father of the petitioner was exonerated from all charges. It is further submitted that differing from the findings of the investigating agency, cognizance has been taken against the petitioner under Sections 341, 323, 325, 307, and 504/34 of the Indian Penal Code vide order dated 17.10.2024. It is also submitted that the petitioner is a Sepoy in the CRPF and is a member of a disciplined force, but owing to certain ulterior reasons, he has been falsely made an accused by the informant. 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 that 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, Lakhisarai/Successor Court in connection with Piribazar P.S. Case No.164 of 2023, 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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