

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66392 of 2025

Arising Out of PS. Case No.-285 Year-2025 Thana- NOORSARAI District- Nalanda

1. Gauri Kumar @ Deepu Kumar son of Shlok Singh R/v - Nosra, Noorsarai, P.s - Noorsarai, District - Nalanda
2. Santosh Kumar @ Satya Raj singh son of Judagi Singh R/v - Nosra, Noorsarai, P.s - Noorsarai, District - Nalanda
3. Prince Kumar son of Girish Kumar R/v - Nosra, Noorsarai, P.s - Noorsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-09-2025

Heard the parties.

2. The petitioners are apprehending their arrest in connection with Noorsarai P.S. Case No. 285 of 2025 registered for the offence under Sections 127(1), 115(2), 117(2), 109, 352, 303(2) and 3(5) of the B.N.S., lodged on 21.05.2025 by the informant, Fulmanti Devi.

3. As per the prosecution story, the informant alleged that while her son was sitting near the school, these petitioner abused and later assaulted by rod causing injury on his head. In the meantime, when one Pradyuman Kumar came to rescue, they assaulted him also and took away the motorcycle, this led



to the F.I.R.

4. Learned counsel for the petitioners submit that there is case and counter case, the petitioner's side have also suffered, their case is earlier to the present case, none of them have criminal antecedent and the injury has been found to be simple in nature. Last submission is that without accepting the allegation or outcome of the petition the petitioners intend to pay Rs.5,000/- each (totaling Rs.15,000/-) to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that allegation is of hitting on the head.

6. Taking into account the submissions of the parties as also the fact that the petitioner has no criminal antecedent, the injuries have to be found simple in nature, there is case and counter case, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.5,000/- each (totaling Rs.15,000/-) to the informant through Demand Draft issued by the local branch of the State Bank of India to be submitted at the time of execution of the bail bond and the same shall be handed over as and when the informant comes to the Court after checking his/her credentials.



7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 2nd Class, Nalanda at Biharsharif, in connection with Noorsarai P.S. Case No. 285 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 their 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 their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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 bail bonds.

(Rajiv Roy, J)

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