

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65548 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- DHANAHA District- West Champaran

Awadhesh Bin, S/o Late Raghunath Bin, R/o Village- Musahari Bintoli, P.S.-
Dhanaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr. Singh No. 1, Adv.

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 19-09-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Dhanaha P.S. Case No. 178 of 2025 registered for the offence(s) under Section(s) 126(2), 115(2), 109(1), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. The prosecution case is to the effect that the informant has alleged that the petitioner and his wife started assaulting him by means of *lathi* and iron rod. It has been



alleged that the informant received injuries on his head as also cut-mark injuries on his forehead.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such incident, as alleged, had occurred. It has been submitted that the petitioner is the neighbour of the informant and a false allegation has been levelled against him and his wife. The wife of the petitioner, it has been submitted, was granted bail by the learned Court below itself. It has next been submitted that the injury report of the informant has been brought on record by way of Annexure-P/2 and perusal of the same, would suffice that the injuries sustained by the informant were found to be simple in nature. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today,



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Dhanaha P.S. Case No. 178 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present before the concerned Court/successor Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioner will be liable to be cancelled by the concerned Court/successor Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail-bonds.

(v) The concerned Court/successor Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail-bonds. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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