

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65723 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- DEEPNAGAR District- Nalanda

1. Dinesh Prasad S/O Late Kishori Lal Halwai @ Kishori Lal R/O Village-Deep Nagar, P.S-Deep Nagar, District- Nalanda.
2. Piyush Kumar S/O Dinesh Prasad R/O Village-Deep Nagar, P.S-Deep Nagar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Prasad Singh, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-09-2025 Heard Mr. Sunil Prasad Singh, learned counsel

for the petitioner and Mr. Rana Randhir Singh, learned APP

representing the State.

2. The petitioners are apprehending their arrest in connection with Deep Nagar P.S. Case No. 76 of 2025 registered for the offence under Sections 115(2), 126(2), 303(2), 76, 109(1), 125, 352, 351(2), 351(3) and 3(5) of the B.N.S., lodged on 19.02.2025 by the informant, Saraswati Devi.

3. As per the prosecution story, the informant alleged that due to PACS Election rivalry, and wanting the informant side to withdraw the earlier cases, as the informant with mother-in-law was going to the market, the allegation is that they were



assaulted by the petitioners beside Anup Kumar. Further allegation is of taking away the chain, this led to the F.I.R.

4. Learned counsel for the petitioners submit that admittedly, there is political rivalry which necessitated the lodging of the F.I.R., the petitioner no.1, is an old man of 66 years, suffering from several disease whereas the petitioner no.2 is an employee of Cooperative Bank, Biharsharif. The injuries have 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.10,000/- each (totaling Rs.20,000/-) 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 of assault is on both the petitioners.

6. Taking into account the submissions of the parties as also the averment that the injury has been found to be simple in nature, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.10,000/- each (totaling Rs.20,000/-) 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 Additional Chief Judicial Magistrate^{1st}, Nalanda (Biharsharif) in connection with Deep Nagar P.S. Case No. 76 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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