

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66376 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Bhola Kumar @ Madhurendera Kumar Son of Upendra Prasad @ Upendra
Mahto Resident of Village - Badka Madhubani, P.S.- Ghorasahan, District -
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raghav Prasad, Advocate
	:	Mrs. Urmila Kumari, Advocate
For the State	:	Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-09-2025 Heard Mrs. Urmila Kumari, learned counsel for the

petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in
connection with Ghorasahan P.S. Case No. 86 of 2025
registered for the offence under Sections 126(2), 115(2),
118(1), 117(2), 109(1), 308(2), 303(2), 324(4), 352, 351(3)
and 3(5) of the B.N.S., lodged on 19.03.2025 by the
informant, Mausam Kumar.

3. As per the prosecution story, the informant
alleged that he was constructing PCC Raod between Bhelwa
to Madhubani under Vijay Champaran Construction Pvt. Ltd.
when allegation is that the accused persons came and started



damaging the newly constructed road. Upon protest, the allegation is that Jayram Prasad gave knife blow on the head while Anuj Kumar gave iron rod blow again on the head. Further, the Vivo mobile and Rs.5,000/- beside the gold ornament snatched by the accused persons. He was shifted to the Ghorsahan Hospital which followed the F.I.R.

4. Learned counsel for the petitioner submits that a perusal of the F.I.R. would show that the main allegation is against Jayram Prasad and Anuj Kumar of assaulting on the head, this petitioner has been implicated only because he was crossing the said place, is a student having no criminal antecedent.

5. Learned APP opposes the prayer submitting that the petitioner was also part and parcel of the group of accused who assaulted and damaged the road.

6. Considering the submission of the parties as also the fact that no role has been attributed to this petitioner nor he has criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner 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) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka/concerned court, in connection with Ghorasahan P.S. Case No. 86 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 petitioner 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his 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 petitioner 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 petitioner 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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