

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69072 of 2025

Arising Out of PS. Case No.-237 Year-2020 Thana- JANDAHA District- Vaishali

Aditya Kumar S/o Bipin Kumar Thakur R/o - Ward No. 19, Pojhiyan, P.S -
Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Jandaha P.S. Case No. 237 of 2020 dated 14.12.2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that a quarrel took place between one Raju Sah and the accused persons including the petitioner. The informant pacified the quarrel. Thereafter, all the accused persons including the petitioner named in the F.I.R. alongwith 15-20 unknown persons armed with *lathi*, *danda* and pistol came and started abusing and assaulting the informant with *lathi* and *danda* indiscriminately due to which the



informant got badly injured and other residents of the village were also injured. It is alleged that Anand Mohan, Aditya Kumar and Raushan Kumar also started firing from the pistol indiscriminately and one pellet hit to informant on his back due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that there is case and counter case between the parties. It is submitted that for the same occurrence two F.I.Rs have been lodged, one by Sanjay Paswan, who has lodged Jandaha P.S. Case No. 236 of 2020 for the offence punishable under Section 307 and allied sections and another is the present case. It is further submitted that there is no injury report produced by the informant in support of the injury said to have been sustained in the occurrence by the injured and during investigation, the informant admitted that he lost the injury report and even the Ashirwad Hospital where he claimed to have been admitted did not produce any injury report which may substantiate the allegation of bullet injury caused to him. Further, it is submitted that no bullet injury was caused and only the allegation is made against the petitioner. No injury report was produced before the Investigating Officer. Lastly, it has



been submitted that he has five criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jandaha P.S. Case No. 237 of 2020, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Vaishali at Hajipur, subject to condition as laid down under Section 482(2) of B.N.S.S. as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter



the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area every fortnight to mark his attendance till conclusion of the trial.

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

