

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67283 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- CHIRAIYA District- East Champaran

Rahul Kumar S/o- Umesh Bhagat R/o- Nagar Nigam Motihari W.No-1, Ps-
Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhardwaj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 137(2), 109, 303(2) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Raja Sahni called him to play cricket and also asked
to bring his friends, Sahab and Pawan, further when they
reached the place of occurrence, they were abducted and
assaulted and his eye was tied by a towel and petitioner is
alleged to have assaulted Sahab by knife causing injury on head
and accused took Rs. 10,000/- and his mobile.

4. Learned counsel appearing on behalf of the



petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that petitioner threatened him of dire consequences on point of pistol and thereafter also assaulted him by knife causing injury on head. It is submitted that informant also alleges that when the occurrence was committed, his eyes were closed by a towel, as such, it does not appear probable that the informant would have seen who committed the occurrence. It is next submitted that from the tenor of the allegation as alleged, it appears that on account of playing cricket, the occurrence is alleged to have taken place. It is next submitted that the injury suffered by the injured is simple in nature and the petitioner is a young boy aged about 22 years and if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals. It is also asserted and submitted that even presuming what has been alleged is true without admitting then this is the first offence of the petitioner. It is further submitted that Raja Sahni along with two others had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 33089 of 2025 and the same was allowed by a learned Co-ordinate Bench by an order dated 13.08.2025.



5. Learned A.P.P. for the State opposes the anticipatory bail application, but then after perusing the case diary and the injury report fairly submits that the injury suffered by the injured has been opined to be simple in nature.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chiraiya P.S. Case No. 304 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. One of the bailors of the petitioner shall be his father, Umesh Bhagat.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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