

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68202 of 2025

Arising Out of PS. Case No.-261 Year-2024 Thana- KALYANPUR District- East Champaran

Prabhu Ram S/O Sukhari Ram Resident of Village- Bahalolpur, Police
Station- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard Mr. Karandeep Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Bharat Lal, learned

APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Kalyanpur P.S. Case No. 261 of 2024 registered under
Sections 127(1),115(2),109,74,303(2),352,351(2),3(5) of the
BNS.

3. As per the allegation made in the FIR, the petitioner
along with other accused with intention to kill son of the
informant assaulted with means of *Farsa*. The specific
allegation of assault is against the petitioner.

4. Learned counsel appearing on behalf of petitioner
submitted that the petitioner is innocent and he has falsely been
implicated in the present case. The informant and the petitioner



are agnates and due to land dispute, about which the petitioner has not given any description in the present application, they entered into fierce fight, though learned counsel informs that the petitioner is innocent having not assaulted the son of the informant. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that there is direct allegation against the petitioner that by means of *Farsa*, which is sharp edged weapon, he had assaulted the son of the informant, causing injury to him. **The learned District Court is directed to call for the injury report of the injured person and verify, which he has not verified while considering the anticipatory bail of the petitioner *vide* order dated 08.01.2025, regarding the nature of injury, if it is found that the same is simple in nature, then in that case, the petitioner, above named, is directed to be released on pre-arrest bail in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/-**



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – IV, East Champaran at Motihari/ concerned Court in connection with Kalyanpur P.S. Case No. 261 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

8. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

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