

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69818 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- SAHARGHAT District- Madhubani

Rupesh Panday S/o Uday Shankar Panday R/o Village- Pihwara, P.S.-
Saharghat, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s :	Mr.Md. Matloob Rab, APP
For the Informant :	Mr. Gagandeo Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 12-12-2025 Heard Mr. Shailendra Kumar Jha, learned counsel for the petitioner and Mr. Md. Matloob Rab, learned APP for the State as also Mr. Gagandeo Yadav, learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Saharghat P.S. Case No. 73 of 2025 instituted under Sections 126, 115(2), 303(2), 109, 352, 351(2), 351(3), 3(5) of Bhartiya Nayay Sanhita, 2023 lodged on 18.06.2025 by the informant, Raushan Kumar.

3. As per the prosecution story, the informant alleged that while he was returning, the accused persons including the petitioner caught hold and tried to strangle him beside taking away some amount. This led to the FIR.



4. Learned counsel for the petitioner submits that only a day before, the Matrimonial Case was lodged by the wife of the present informant who is sister of the petitioner. As a counter-blast, the present case.

5. Further, a motorcycle accident took place which has been given the colour of assault. He is ready to face the trial and shall be diligently appearing in it, has no criminal antecedent. Last submission is that they will try to sort out the differences between the family.

6. Learned counsel for the informant on the other hand opposes the prayer submitting that the assault theory is correct, they have taken the wife of the informant as also the child in custody and never allows to meet them.

7. Learned APP also opposes the prayer.

8. Taking into account the submissions of the parties as also the fact that the assault theory is there but the petitioner do not have criminal antecedent, an undertaking has been given that he shall be diligently appearing in trial and also trying to solve the dispute between the family, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event



of his arrest or surrender before the concerned court 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 the like amount each in connection with Saharghat P.S. Case No. 73 of 2025 to the satisfaction of learned J.M. 1st Class, Benipatti, Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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 his bail bonds.

(Rajiv Roy, J)

Ravi/-

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

