

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81172 of 2024**

Arising Out of PS. Case No.-310 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

Biru Kumar @ Biru Kumar Prasad S/o- Satendra Prasad Resident of Village-  
Salempur Kala, P.S.- Dhobahan (OP) District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      18-04-2025                      Heard Mr. Raju Kumar Singh, learned counsel for  
the petitioner and Mr. Murli Dhar, learned Additional Public  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ara Muffasil P.S. Case No. 310 of 2022, F.I.R. dated 17.09.2022 for the offences punishable under Sections 147, 149, 323, 307, 379, 504 and 506 of the Indian Penal Code.

3. According to prosecution case when the informant was in her home, then the petitioner along with ten other persons having various weapons assaulted.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner. Although, there is specific



allegation against this petitioner that he assaulted on the head of the informant and her brother and her sister and they have also received the injury but the injury report of the informant, namely, Mamta Kumari suggests that she has received the injury which is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the F.I.R. itself that there is specific allegation is attributed against the petitioner and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts that the injury inflicted upon the injured person is simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Bhojpur, Ara, in connection with Ara Muffasil P.S. Case No. 310 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

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

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J.)**

Jyoti Kumari/-

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