

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84274 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Subham Kumar @ Subham Poddar Son of Jhagash Poddar @ Jhagash Paudar
@ Sambhu Poddar Resident of Mohalla- Laxmisagar , Railway Quarter, PS-
L.N.M.U., District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13, Advocate
Mr. Manish Kumar No 13, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 05-05-2025 Heard learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with

L.N.M.U P.S. Case No. 156 of 2024 registered for the offences

punishable under Sections 307, 341, 323, 324 and 379/34 of the

Indian Penal Code.

3. The allegation against the petitioner is that he along

with other co-accused, namely Nishant Yadav had attacked the

informant with a knife hitting him on the head upon which

blood had started to come out. The informant was admitted to

D.M.C.H., and after six days of the occurrence, the FIR was

lodged.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the case. There is an allegation upon one Nishant Yadav and the petitioner to have assaulted by knife, however, such an allegation is not supported from mere perusal of the medical report which suggests that though injuries are grievous in nature but the same has been caused by a hard and blunt substance which falsifies the allegation made in the FIR. The learned counsel further submits that the petitioner has been falsely implicated due to some personal rivalry with the informant. It has lastly been submitted that the petitioner has antecedent of one criminal case relating to the Excise Act in which he is on bail and has been in custody since 22.08.2024.

5. The learned APP for the state has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions of the parties and taking into account that the allegation is not supported by the medical report and also that the petitioner is in custody since 22.08.2024, let the petitioner, above named, be released on bail on deposition of Rs. 20,000/- in the learned court below while furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of the court of learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with L.N.M.U P.S. Case No. 156 of 2024 subject to the following conditions:-

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.
- (iii) In case the prosecution is found the petitioner's involvement in similar nature of allegation after his release and in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Sourendra Pandey, J)

Prakash/-

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