

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88003 of 2024

Arising Out of PS. Case No.-425 Year-2024 Thana- PATRAKARNAGAR District- Patna

Sahil Kumar Son of Sri Lal Babu Patel Resident of Village - Thumbra, P.S. -
Runni Saidpur, District - Sitamarhi, at present Residing at - Govind Mitra
Road, Durukhi Gali, P.S. - Pirbahore, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Patrakar Nagar P.S. Case No. 425 of 2024 instituted for the
offences under Sections 109(1), 118(2) and 126(2) of the
Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the
petitioner is of assaulting the Informant's daughter by means of
knife on her neck. It is also alleged that when another person
came to save the victim, he was also assaulted by the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



and his name has transpired in this case only on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. The petitioner has no motive behind the alleged occurrence as the petitioner is in no way even remotely connected with the victim. No T.I.P. has been conducted in this case. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 01.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, pointing out that the offence alleged is serious in nature. He further submits that in the occurrence, two persons have sustained injuries. The police has also recovered knife from the place of occurrence. From the injury report, it appears that the injury is grievous in nature and, thus, supports the prosecution case. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner under Sections 126(2), 118(1), 118(2), 109(1) of the B.N.S..

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patrakar Nagar P.S. Case No. 425 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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