

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80049 of 2025

Arising Out of PS. Case No.-376 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

1. Shailesh Prasad @ Shailesh Kumar S/o Late Amirchand Prasad R/o Village - Bishunpura, P.S - Chapra Mufassil, District - Saran
2. Keshav Prasad @ Keshav Kumar S/o Late Amirchand Prasad R/o Village - Bishunpura, P.S - Chapra Mufassil, District - Saran
3. Ram Prakash Prasad S/o Late Amirchand Prasad R/o Village - Bishunpura, P.S - Chapra Mufassil, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Advocate
For the State	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Heard Mr. Vijay Kumar Sinha, learned counsel for the petitioners and Mr. Pranav Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Chapra (Mufasil) P.S. Case No. 376 of 2025, F.I.R. dated 01.07.2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 315, 303(2) of the B.N.S.

3. Allegation against the petitioners is that they along with other co-accused persons having armed with Danda and Rod came to the informant and started abusing and assaulting her. In the meantime, accused Lalbhagwan Prasad gave knife



to Shailesh Prasad and thereafter he gave knife blow to the informant as a result of which she sustained injury on head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that the present case is counter blast of Chapra (Mufassil) P.S. Case No. 338 of 2025 filed by co-accused Om Prakash Prasad against the informant and their family members. From perusal of the F.I.R. it appears that the date of occurrence as alleged in the F.I.R. is 15.06.2025 but the present F.I.R. was instituted on 01.07.2025 after delay of fifteen days without giving any explanation of delay. Although the petitioners are named in the F.I.R. and there is specific allegation against them that they have assaulted to the informant and their family members. Learned counsel for the petitioners further submits that the present case has been filed only to harass the petitioners and the same has been filed afterthought only falsely implicate these petitioners in the present case.

5. Learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and there is specific allegation against them in the F.I.R. and apart from that the petitioner no. 1 carries two more cases other than the present



one and petitioner nos. 2 and 3 carry one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioners are on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the present case is counter blast of Chapra (Mufassil) P.S. Case No. 338 of 2025 and the present F.I.R. was instituted after delay of fifteen days and the injury inflicted upon the injured persons are simple in nature, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra (Mufassil) P.S. Case No. 376 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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