

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82743 of 2025

Arising Out of PS. Case No.-588 Year-2023 Thana- AKBARPUR District- Nawada

Vijay Vishwakarma @ Banti @ Vijay Kumar Son of Vishun Vishwakarma @
Vishun Mistri, R/o Village - Pachrukhi Kothi, Police Station - Akbarpur,
District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Saurav Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Akbarpur P.S. Case No. 588 of 2023 dated 31.12.2023, registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and other co-accused persons in the background of the earlier dispute assaulted the husband of the informant, her son and the informant herself with *lathi*, *danda* and sword.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The present case is the counter blast of Akbarpur P.S. Case No. 585 of 2023 and the present case



has been lodged subsequently by the informant's side to save their own skin. The informant's side was the assailant and they assaulted the wife of the petitioner and his other family members who received serious injuries. The Police investigated the matter and did not send up the petitioner for facing trial. However, the learned trial Court differing from the final report, took cognizance against this petitioner as well. Moreover, altogether nineteen persons were made accused in this case and the allegations are general and omnibus, except the allegation against this petitioner that he caused sword injury to the husband of the informant and the description of injury in rejection order shows its size to be 3" x 1/2" x 1/4" over parietal frontal scalp. Though the injury is stated to be grievous, however, the dimensions of the injury show that it was a superficial injury. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 04.09.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and also considering his period of custody and submission of chargesheet,



the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada / concerned Court, in connection with **Akbarpur P.S. Case No. 588 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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 of non-appearance of the petitioner on single date 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.

(Arun Kumar Jha, J)

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