

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89122 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- KHAGAUL District- Patna

1. Baiju Pal S/o- Bhola Pal Resident of Badi Khagaul PS- Khagaul, Dist- Patna
2. Madhuri Devi W/o- Baiju Pal Resident of Badi Khagaul PS- Khagaul, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Pandey, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2025 Heard Mr. Anurag Pandey, learned counsel for the

petitioners and Mr. Md. Fahimuddin, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Khagaul P.S. Case No. 190 of 2024, F.I.R. dated 23.06.2024 for the offences punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code.

3. According to prosecution case, informant and petitioner no.1 are full brothers and they are living together in ancestor house. In the night of 21.06.2024 the petitioner no.1 is said to have assaulted on the head of the informant with hammer due to which he received injury.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the informant is own brother of the petitioner no.1 and brother-in-law of the petitioner no.2. He further submits that although there is specific allegation against the petitioner no.1 that he has assaulted to the informant with the hammer due to which the informant received two injuries but the injury report of the informant suggests that the injuries are simple in nature.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedent and injuries inflicted upon the informant are simple in nature, let the petitioners, 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Danapur in connection with Khagaul P.S. Case No. 190 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/under Section 482(2) of the BNSS, 2023



and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds 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)

ajay/-

U		T	
---	--	---	--

