

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4467 of 2026

Arising Out of PS. Case No.-277 Year-2025 Thana- RAGHOPUR District- Vaishali

Subhash Kumar @ Subhash Rai, Son of Shamsher Rai, Resident Of Village -
Rampur Shyamchand, P.S. - Raghapur, Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Raghapur P.S. Case No. 277 of 2025 dated 12.10.2025, instituted for the offence punishable under Sections 126(2), 115(2), 117(2), 118(2), 109, 352, 3(5) of Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged date of occurrence, the petitioner along with the other accused persons assaulted the informant and one Vipul Rai by means of Bullet, *Farsa* and sword.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that there is



general and omnibus allegation against the petitioner and other accused persons. There is no specific allegation of assault against the petitioner. It is further submitted that earlier on 28.05.2024, the petitioner has lodged an F.I.R against the family members of the informant. However the present F.I.R. has been lodged on 12.10.2025 after two days of occurrence. The present F.I.R. has been lodged by the informant just to pressurize the petitioner to compromise the case filed by the petitioner. Learned counsel for the petitioner further submits that though the injury report is said to be grievous in nature, the petitioner has no concern with the said alleged occurrence. Lastly, it has been submitted that the petitioner is in custody since 10.12.2025 having two criminal cases against him which were lodged by the informant. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate-XV, Vaishali at Hajipur in Raghopur P.S. Case No. 277 of 2025, as well as the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
5. The petitioner within two weeks after his release from custody shall appear before the local police



station along with a copy of this order and thereafter shall appear in the first week of every month to mark his attendance till the framing of charge in the trial court.

(Khatim Reza, J)

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