

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14742 of 2026**

Arising Out of PS. Case No.-77 Year-2025 Thana- MADHWAPUR District- Madhubani

Rajiv Kumar @ Rajeev Kumar @ Rajeev Nayak

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 25-02-2026 Heard Mrs. Mr. Ajay Kumar Thakur, learned
counsel for the petitioner and the State.

2. The petitioner is in custody in connection with Madhwapur P.S. Case No. 77 of 2025 for the offence punishable under sections 115(2), 126(2), 118(1), 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 08.06.2025 by the informant, Kanhaiya Kumar.

3. As per the prosecution story, the informant alleged that in the evening, as he was in his house, the accused persons including these two petitioners armed variously came and on the order of Raj Kumar Nayak @ Raja Nayak, Rajeev Nayak @ Rajeev Kumar dragged him from his door, allegation is that Rajeev Nayak @ Rajeev Kumar used sword in hand to attack on



his neck and thereafter they resorted to assault in which one of the finger was severed. When the sister, Guriya came to rescue, she was also assaulted. This happened in the presence of the Police (112). The severed finger could not be located and he was rushed to Primary Health Centre and then to the other hospital. The allegation is that finger was severed purposely to ensure that he fails to take any government job. This led to the F.I.R.

4. Learned counsel for the petitioner submits there is case and counter case. Both sides have suffered and only because of criminal antecedent, he remained in custody since 09.06.2025.

5. Learned APP, Mr. Bharat Bhushan submits the injuries inflicted by this petitioner led to severance of finger of the informant.

6. Considering the submissions of the parties as also that this is the second attempt, earlier bail application was rejected in Cr. Misc. No. 49845 of 2025 on 11.08.2025, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of



like amount each to the satisfaction of learned District and Additional Sessions Judge-II, Madhubani, in connection with Madhwapur P.S. Case No. 77 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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