

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24554 of 2026

Arising Out of PS. Case No.-259 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Serajul Devan Son of Hafuj Devan @ Hafij Sah Resident of Village- Malhi,
P.S.- Kuchaikot, District- Gopalganj Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer

For the Opposite Party/s: Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

4 17-07-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kuchaikot P.S. Case No.259 of 2025, dated 21.06.2025, registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109(1), 303 (2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the allegations made in the F.I.R., the petitioner, along with the other co-accused persons, allegedly went to the house of the informant armed with a hockey stick and a knife and started abusing the informant's son. When the informant protested, the petitioner and the co-accused allegedly assaulted him and continued to abuse him. It is further alleged that when the informant's son intervened to rescue his father, he too was assaulted by the accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the specific allegations of assault are against the co-accused persons, namely, Hafuj Devan, who is alleged to have assaulted the informant on his back with a hockey stick, and Sanjita Khatoon, who is alleged to have assaulted Saroj Devi, the daughter-in-law of the informant. It is submitted that no specific overt act has been attributed to the petitioner. Learned counsel, on instructions, further submits that, without admitting his guilt and without prejudice to his defence, the petitioner is willing to pay a sum of Rs. 5,000/- to the informant towards medical/financial assistance. It is lastly submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering that the injuries are simple in nature, and taking into account the undertaking given by the petitioner to pay Rs. 5,000/- towards medical/financial assistance at the time of furnishing bail bonds, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj/Successor Court in connection with Kuchaikot P.S. Case No.259 of 2025, subject to the conditions laid down under Section 482(2) of the BNSS, upon producing receipt showing payment of Rs. 5,000/- to the informant, as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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