

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25510 of 2026**

Arising Out of PS. Case No.-298 Year-2025 Thana- BABUBARHI District- Madhubani

Subhash Kumar Pal Son of Vanshlal Pal Resident of Village- Surha, P.S.-  
Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2      22-04-2026                      Heard the parties.

2. The petitioner is apprehending arrest in connection with Babubarhi P.S. Case No. 298 of 2025 instituted under Sections 329(4), 324(4), 126(2), 115(2), 109, 351(2), 76, 303(2), 3(5) of the BNS lodged on 10.07.2025 by the informant, Nitu Kumari.

3. As per the prosecution story, the informant alleged that while she was sleeping, the accused persons entered and assaulted the father-in-law who received the head injury. As she came out, her modesty was outraged and there is also taking away of cash/gold ornaments. This led to the FIR.

4. Learned counsel for the petitioner submits that there is case and counter case, the case of the petitioner being earlier one, though allegation of assault is there, injury has been



found to be simple in nature.

5. Learned APP opposes the prayer submitting that the allegation of assault on head is on this petitioner.

6. Considering the submissions of the parties as also that there is dispute, the petitioner do not have criminal antecedent, there is admitted case and counter has been lodged, the case of the petitioner being earlier one, the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Babubarhi P.S. Case No. 298 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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/her bona fide;

(ii) the petitioner shall be appearing before the police



station as and when required for cooperating in the investigation;

(iii) 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;

(iv) 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;

(v) 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;

(vi) 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)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

