

Arising Out of PS. Case No.-187 Year-2025 Thana- Balwahat District- Saharsa

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

ORAL ORDER

Heard learned counsel for the parties.

3. As per the FIR, the accused persons are alleged to have assaulted the informant and her family members with lathi, iron rods and the butt of a firearm, causing injuries. It is further alleged that they attempted to outrage the modesty of the informant and her daughter-in-law, tore their clothes, snatched a gold chain and cash, and thereafter fled from the place of occurrence after extending threats.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. Referring to the allegations made in the FIR, it is submitted that the allegation of causing injury to the eye of the



informant has specifically been attributed to co-accused Ashok Singh, whereas so far as the present petitioner is concerned, the only allegation is that he assaulted the informant with the butt of a three-nut pistol. It is further submitted that the injuries attributed to the petitioner have been found to be simple in nature and, moreover, no firearm, as alleged in the FIR, has been seized during the course of investigation. Lastly, it is submitted that the petitioner has four criminal antecedents. Out of them, he is on bail in Bakhtiyarpur (Balwahat) P.S. Case No. 89 of 2014; he has been acquitted in Simri Bakhtiyarpur P.S. Case No. 143 of 2018; and Balwahat P.S. Case No. 05 of 2026 and Balwahat P.S. Case No. 09 of 2026 have been instituted by the present informant herself and are said to have arisen out of a longstanding family dispute.

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

6. Having regard to the nature of the allegations and considering the fact that the injury attributed to the petitioner has been found to be simple in nature, this Court is inclined to extend the privilege of anticipatory bail to the petitioner.

7. 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, Saharsa/Successor Court in connection with Balwahat P.S. Case No.187 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS 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)

shikha/-

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

