

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28881 of 2026

Arising Out of PS. Case No.-136 Year-2022 Thana- KESARIA District- East Champaran

Subodh Kumar S/o- Naresh Sahani R/v- Bijdhari Nizamat Ps- Bijdhari Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner as well as Mr. Upendra Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.04.2025 in connection with Kesariya P.S. Case No. 136 of
2022, F.I.R. dated 03.04.2022 for the offences punishable under
Sections 143, 144, 341, 323, 307, 379, 504, 506 of the Indian
Penal Code.

3. According to prosecution case, the informant
alleged that on 01.04.2022 at about 07.00 P.M when the
informant was returning to his house, in the way, all the FIR
named accused persons including the petitioner surrounded him



and assaulted him by means of lathi-fatta, iron road and knife due to which he sustained injuries. It is further alleged that the accused persons snatched gold chain worth Rs. 45,000/-, watch and Rs.6000/-.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that co-accused persons, namely Shashi Bhushan Kumar, Aman Kumar and Guddu Kumar have assaulted on the head of the informant. Although the petitioner was present at the place of occurrence but there is no specific allegation against him. From bare perusal of the injury report of the informant it appears that injury inflicted upon him is simple in nature and there is no fire arm injury found on the person of the injured. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 11.04.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has participated in the present crime in question and apart from that petitioner carries three criminal antecedents other than the present one but fairly submits on the



basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Kesariya P.S. Case No. 136of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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