

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35305 of 2026

Arising Out of PS. Case No.-119 Year-2026 Thana- RAFIGANJ District- Aurangabad

Lav Kumar Son of Shri Yogendra Lal Resident of Village- Kajichak,
Amarpura, P.S.- Rafiganj, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-05-2026 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

2. The petitioner apprehends his arrest in connection with Rafiganj P.S. Case No.119 of 2026 dated 24.03.2026, registered for the offence punishable under Sections 126(2), 115(2), 329(3), 352, 117(2), 109(1), 303(2), 324(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, on 23.03.2026, the petitioner is said to have abused and assaulted the informant and his wife, causing injuries including fracture injury to the informant. It is further alleged that the accused persons, armed with iron rods and sticks, assaulted others, entered the informant's house, looted cash and jewellery, damaged household articles and threatened the informant claiming police influence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case due to previous enmity and village politics. It is submitted that the petitioner is a person of discipline force and has not committed any offence as alleged in the FIR. Counsel for the petitioner, by referring to the impugned order, submits that the allegation against the petitioner is that he has caused injury over the head of Dhanwanti Devi with hard and blunt object which is simple in nature and the same does not corroborate the allegation made in the F.I.R. It is the case of the petitioner that the petitioner was not present at his house when this incident is said to have taken place and the petitioner is a Constable/G.D. bearing Force No. 235191346 in C.R.P.F. and, in order to spoil his career, the petitioner has been falsely implicated in the instant case. It is further submitted that the petitioner, being a government servant, is ready to abide by the terms and conditions imposed in case privilege of anticipatory bail is extended in his favour. Lastly, it is submitted that the petitioner bears no criminal antecedent.

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

6. Having heard learned counsel for the parties and



considering the fact that the injuries are found to be simple in nature and, as also, the petitioner having no criminal antecedent, 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, Aurangabad/Successor Court in connection with Rafiganj P.S. Case No.119 of 2026, 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)

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