

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77492 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- Anandpur District- Banka

Badku Sah @ Ganesh Sah S/O Kameshwar Sah R/O Vill.- Dharhara, P.S.-
Anandpur, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mr. Kumar Malendu, learned counsel for the

petitioner and Mr. Vinod Shanker Modi, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
21.06.2025, in connection with Anandpur P.S. Case No. 62 of
2025, F.I.R. dated 20.06.2025 registered for the offences
punishable under Sections 126(2), 115(2), 118(2), 109(1), 61(2),
3(5) of the B.N.S., 2023.

3. Allegation against the petitioner is that he has
assaulted to the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not



committed any offence as alleged in the F.I.R. Although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that F.I.R. is in two parts, in first part, there is general and omnibus allegation against all the accused persons including the petitioner and in second part, there is specific allegation against the petitioner that he has assaulted to the informant with axe and farsha and cut off five fingers of right hand of the informant. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 21.06.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and the injury inflicted upon the injured person is grievous in nature and apart from aforesaid the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-2 of the supplementary affidavit that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Banka in connection with Anandpur P.S. Case No. 62 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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