

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76988 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- BHAPTIAHI District- Supaul

Pradip Kumar @ Pradip Gupta S/O Ravi Shankar Sah @ Ravi Shankar Gupta
R/O Village- Pipra Khurd, Ward No. 02, P.S- Bhaptiyahi, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Arun, Advocate
		Md. Anwar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mr. Satish Kumar Singh, learned counsel for the petitioner, Mr. Ashok Kumar Singh, learned Additional Public Prosecutor for the State and Mr. Arun, learned Advocate for the Informant.

2. The petitioner seeks bail, who is in custody since 28.07.2025 in connection with Bhaptiyahi P.S. Case No. 165 of 2025, F.I.R. dated 20.07.2025 for the offences punishable under Sections 191(2), 191(3), 190, 303(2), 351(2), 352, 115(2), 109 of the B.N.S.

3. According to prosecution case, petitioner and other accused persons are alleged to have surrounded the informant's husband and assaulted him. Petitioner is said to have given spade blow over his head as a result he became unconscious and fell down.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although, the specific allegation of assault is attributed against the petitioner that he has assaulted the husband of the informant and husband of the informant has received the injury but the injury report of the injured persons suggests that the injuries are simple in nature caused by hard and blunt substance. There is case and counter case. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.07.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of assault is attributed against the petitioner and the injured persons have received the injury.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is case and counter case and the injury inflicted upon the informant's husband found to be simple in nature, 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, Supaul in connection with Bhaptiyahi P.S. Case No. 165 of 2025, with 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/her 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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