

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82724 of 2025

Arising Out of PS. Case No.-481 Year-2025 Thana- DHANARUA District- Patna

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Brajesh Kumar Bind @ Brajesh Kumar @ Brajesh Bind S/o Bacchu Bind R/o
vill- Ramjani Chak, P.S.- Dhanarua, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-01-2026 Heard Mr.Vijay Kumar, learned counsel for the

petitioner, learned counsel for the informant and Mr.Arun
Kumar Pandey, learned Additional Public Prosecutor for the
State.

2. The petitioner seeks bail, who is in custody since
29.08.2025 in connection with Dhanarua P.S. Case No. 481 of
2025, F.I.R. dated 07.08.2025 registered for the offence
punishable under Sections 109(1),103(2),3(5) of BNS,2023.

3. As per FIR, allegation against the petitioner and
other co-accused persons is that they assaulted by means of
slammed boulder on the chest of the father of the informant and
during treatment he died.

4. Learned counsel appearing for the petitioner
submits that due to previous dispute the present occurrence had



taken place and the petitioner has falsely been implicated in the present case. Although there is specific allegation the petitioner in the FIR that he alongwith other co-accused persons assaulted by means of boulder on the chest of the father of the informant and during treatment he died. Learned counsel for the petitioner submits that although there is specific allegation against the petitioner but the same is not corroborated by the postmortem report of the deceased and no injury was found on the chest of person of the deceased and apart from the aforesaid, the date of occurrence as alleged in the FIR is 01.08.2025 and Fardbeyan was recorded on 03.08.2025 but the present FIR has been instituted on 07.08.2025 after delay of seven days without giving any explanation of delay. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.08.2025.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in question and apart from the aforesaid, there is direct and specific allegation against the petitioner that he assaulted by means of boulder to the father of the informant Further submits that the petitioner carries one more case other



than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid facts and the allegation as alleged in the FIR against the petitioner is not supported by the medical evidence, 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 learned S.D.J.M., Masaurhi, Patna in connection with Dhanarua P.S. Case No. 481 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/her 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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