

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89094 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- Mufassil District- Purnia

1. Suman Kumar Son of Arun Mehta Resident of Chandi Kathwa, Rani Patra, P.S.- Mufassil, District - Purnea.
2. Dharam Kumar @ Dharmmlal Mehta Son of Jagdish Mehta Resident of Chandi Kathwa, Rani Patra, P.S.- Mufassil, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. N.K. Agrawal, learned senior counsel for

the petitioners and Mr. Syed Mojibur Rahman, learned

Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that during pendency of the present bail application, the petitioner no. 2, namely, Dharam Kumar @ Dharmmlal Mehta has been arrested. So the present bail application with respect to him has become infructuous. Hence, he seeks permission to withdrawn the bail application with respect to petitioner no. 2.

3. Permission is accorded.

4. Accordingly, the present bail application with respect to petitioner no. 2, namely, Dharam Kumar @ Dharmmlal



Mehta stands dismissed as withdrawn as having become infructuous.

5. The petitioner no. 1 is apprehending his arrest in connection with Mufassil P.S. Case No. 99 of 2025, F.I.R. dated 21.04.2025 for the offences punishable under Sections 191(2), 191(3), 115(2), 126(2), 118(1), 109, 303(2), 352 and 351(2) of the BNS, 2023.

6. According to prosecution case, this petitioner along with other accused persons armed with lathi, danda and dabia brutally assaulted the informant and her family members due to which they received injuries.

7. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R has been false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. There is case and counter case between the parties. As per the allegation in the F.I.R, the petitioner along with Arun Mehta have assaulted to the husband of the informant by means of *dabia* due to which he received injury but the injury report of the injured person suggest that the injury is simple in nature.

8. Learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances that the injury received by the injured person is simple in nature and the petitioner has clean antecedent, let the petitioner no. 1, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 CJM, Purnea in connection with Mufassil P.S. Case No. 99 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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