

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86641 of 2025

Arising Out of PS. Case No.-249 Year-2025 Thana- BARSOI District- Katihar

Shambhu Rai S/o Sannu Rai R/o Village- Imadpur, (Gachhawapul), P.S-
Barsoi, Dist- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Rajendra Prasad Sah, learned counsel

for the petitioner and Mr. Ashok Kumar Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barsoi P.S. Case No. 249 of 2025, F.I.R. dated 08.10.2025 for the offences punishable under Sections 126(2), 115(2), 109, 74, 352, 351(3) and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner along with other accused persons assaulted the informant and tried to outrage the modesty of the informant's wife.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. 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. Both the parties are agnate to each other and due to some land dispute the present occurrence has taken place. He further submits that the injury received by the injured person is simple in nature.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the injury of the injured person is simple in nature, let the petitioner, 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 ACJM 1st, Katihar in connection with Barsoi P.S. Case No. 249 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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