

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88266 of 2025

Arising Out of PS. Case No.-286 Year-2025 Thana- RAXAUL District- East Champaran

Kameshwar Prasad Gupta S/O Harilal Sah R/O Village- Ward No. 1 Bada
Pareuwa, Near Hanuman Temple, P.S.- Raxaul, District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Alexander Ashok, learned counsel for the
petitioner and Mr. Tapeswar Sharma, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Raxaul P.S. Case No. 286 of 2025, F.I.R. dated 24.06.2025 for the offences punishable under Sections 126(2), 115(2), 119(1), 329(3), 303(2), 351(2), 352, 74, 76, 3(5) of the B.N.S.

3. According to prosecution case, petitioner and other co-accused persons are alleged to have abused and assaulted the informant which caused injury upon right eye and the allegation against this petitioner is of dragged her catching her hair resulting and also ordered to shot her.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been 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 and the



informant are agnates to each other and there is admitted land dispute between the parties and due to admitted land dispute, the present occurrence took place and the informant has filed a false case against this petitioner. There is case and counter case. Although, the informant has sustained injuries and the injury report of the informant suggest that all the injuries are simple in nature.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Raxaul P.S. Case No. 286 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/Section 482(2) of BNSS, 2023 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 her absence on two consecutive dates without sufficient reason, 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)

Ranjeet/-

U		T	
---	--	---	--

