

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88879 of 2025

Arising Out of PS. Case No.-329 Year-2025 Thana- NARDIGANJ District- Nawada

1. Vicky Kumar S/O Radhe Sao R/O village-Buchchi, P.S-Nardiganj, Dist-Nawada
2. Niraj Kumar S/O Madan Sao R/O village-Buchchi, P.S-Nardiganj, Dist-Nawada
3. Banti Kumar S/O Paro Sao R/O village-Buchchi, P.S-Nardiganj, Dist-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP
For the Informant	:	Mr. Ram Pravesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Vijay Kumar, learned counsel for the petitioners Mr. Khurshid Anwar, learned Additional Public Prosecutor for the State and Mr. Ram Pravesh Kumar, learned counsel for the Informant.

2. The petitioners are apprehending their arrest in connection with Nardiganj P.S. Case No. 329 of 2025, F.I.R. dated 06.09.2025 for the offences punishable under Sections 126(2), 127(2), 109, 351(2), 352, 118(2), 74, 191(1), 192(2), 190, 191(3) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioner along with other accused persons assaulted his



son by means of lathi and fist and threatened to kill him. After that a panchayati was convened, in the meantime, all the accused persons came with lathi, danda and iron rod and assaulted informant's second son.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. There is case and counter case between the parties and both parties are agnates to each other. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against them rather there is general and omnibus against all the accused persons including the petitioners.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioners and the petitioners have clean antecedent let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Nawada in connection with Nardiganj P.S. Case No. 329 of 2025, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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