

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88318 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- NARDIGANJ District- Nawada

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Ajay Kumar S/O Deoki Chaudhari Resident of Village- Nardiganj, P.S-
Nardiganj, District- Nawada, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Devendra Prasad Singh, learned counsel

for the petitioner and Mr. Anil Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
03.11.2025 in connection with Nardiganj P.S. Case No. 167 of
2025 F.I.R. dated 26.04.2025 for the offences punishable under
Sections 126(2), 127(2), 115(2), 109, 352, 352(2), 3(5) of the
B.N.S., 2023.

3. According to prosecution case, petitioner and other
co-accused person are alleged to have assaulted the informant.
When her daughter came to rescue, she was assaulted with iron
rod on her head resulting in head injury.

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. From perusal of the F.I.R., there is no specific allegation of assault attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the co-accused person, namely, Pooja Kumari who happens to be wife of the petitioner against whom the similar allegation has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 29.08.2025 passed in Cr. Misc. No. 57057 of 2025. The police after investigation, submitted charge-sheet against the petitioner and the petitioner is in custody since 03.11.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and similarly situated co-accused person has been granted anticipatory bail by a coordinate Bench of this Court, 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 the learned Additional Chief Judicial Magistrate-II, Nawada in



connection with Nardiganj P.S. Case No. 167 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 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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