

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89631 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- LAKHISARAI District- Lakhisarai

Rahul Kumar S/o Bablu Paswan @ Babul Paswan @ Shekhar Paswan @ Anil Paswan Resident of Village - Chitranjan Road, Purani Bazar, Mahaveer Ashthan, Sheetala Mandir, Ward No. 11, P.S - Lakhisarai, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the State : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Rajive Ranjan Singh, learned counsel for the petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S. Case No. 66 of 2025, F.I.R. dated 20.02.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 303(2), 352, 351(2), 109 of the B.N.S.

3. Allegation against the petitioner is that he along with other co-accused person have assaulted the son of the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that although the petitioner is



named in the F.I.E. but there is specific allegation of assault attributed against co-accused person namely Sanni Kumar and F.I.R. is in two parts, in first part, there is specific allegation of assault against co-accused person namely Sanni Kumar and in second part, there is general and omnibus allegation against all the accused persons including the petitioner and there is no specific allegation of any assault or overt act attributed against the petitioner in the F.I.R.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the F.I.R. and he along with other co-accused person have assaulted the son of the informant and part from aforesaid the petitioner carries one more case 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 matter.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation of any assault or overt act against the petitioner in the F.I.R., 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakihsarai



in connection with Lakhisarai P.S. Case No. 66 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 :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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