

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91246 of 2025

Arising Out of PS. Case No.-288 Year-2025 Thana- KALYANPUR District- Samastipur

1. Rahul Kumar S/o Sagar Paswan R/o village - Madhurapur Tara, Police Station - Kalyanpur, District - Samastipur
2. Raushan Kumar S/o Lakshman Paswan R/o village - Madhurapur Tara, Police Station - Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-02-2026

Heard Mr. Mahendra Pratap, learned counsel for the petitioners and Mr. Murli Dhar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kalyanpur P.S. Case No. 288 of 2025, F.I.R. dated 22.08.2025 for the offences punishable under Sections 126(2), 115(2), 109, 132, 352, 351(2), 3(5) of Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, when one Govind Kumart along with other members had gone to Mathurapur Tara village for installing smart meter, the petitioners along with other co-accused persons obstructed the installation of smart meter and verbally abused him and assaulted him causing injury on his head.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have 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 petitioners have not committed any offences as alleged in the F.I.R. 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 allegation against all the accused persons including the petitioners and injury inflicted upon the said Govind Kumar is simple in nature.

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

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent and there is no specific allegation of assault or overt act against them and injury inflicted upon the injured person is simple in nature, 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 Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case



No. 288 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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