

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5679 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- JIRADEI District- Siwan

-
1. Ramji Prasad Gupta @ Ramge Prasad Gupta
 2. Parshuram Gupta @ Parshuram Kumar Gupta

Both S/O Late Dinanath Sah Resident of Village- Karhanu, P.S.- Ziradei,
Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Ziradei P.S. Case No.130 of 2024 , F.I.R. dated
13.09.2024 registered for the offence punishable under Sections
126, 115(2), 109, 351, 352, 3(5) BNS.

3. The prosecution case, in brief, is that informant on
13.09.2024 at 5:30 AM was cleaning his Darwajaa accused
persons came and started abusing him, due to previous land
dispute and assaulted the informant. Seeing the assault on the



person of the informant the family members of the informant came to rescue him then accused Ramji Sah assaulted on the hand of the informant by means of sword and accused Parshuram Sah assaulted with iron rod on the head of the informant. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that petitioners have falsely been implicated in the present case. Further submits that petitioners and the informant are agnates and there is land dispute between them. Learned counsel for the petitioners next submit that although the injury report suggests that informant received the injury, but the doctor has opined that the injuries are not on the vital part of the body and is simple in nature.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioners. Further submits that there is specific allegation against the petitioners, apart from the aforesaid the petitioner has carries four more cases filed by the present informant other than the present one, but fairly submits that in all the four cases petitioners are on bail.

6. Considering the aforesaid facts that injuries received by the informant is simple in nature, let the petitioners,



above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory 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 Judicial Magistrate, Siwan in connection with Ziradei P.S. Case No.130 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 bonds shall be cancelled by the Court below.

(ii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of their anticipatory 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 antecedents, the court below shall take step for cancellation of anticipatory 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)

Prakash Narayan

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

