

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14069 of 2025

Arising Out of PS. Case No.-349 Year-2024 Thana- PIPRA District- East Champaran

Ram Sevak Singh, S/o Late Fulgen Singh, Resident of village- Lakhani
Madhuban, P.S.- Pipra, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the State : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Pipra PS. Case No.349 of 2024 dated 30.11.2024, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109, 352, 351(2), 324(4) and 61 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the allegation, on account of election rivalry, the petitioner has ordered his family members to kill the informant and his family members and on his order, co-accused persons have assaulted the son and nephew of the informant on their head, causing injury on the head of two victims.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that previous dispute on account of PACS election is admitted and petitioner has been implicated only on account of being a family member of losing candidate. He also submits that the petitioner is 67 years old and he has nothing to do with the alleged offence. Even, as per the F.I.R., there is no any specific allegation against the petitioner to assault any of the alleged victims and the name of the petitioner has been dragged by police allegation of giving order to the co-accused to commit the offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sada, Motihari, East Champaran, in connection with Pipra PS. Case No.349 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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