

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17357 of 2025**

Arising Out of PS. Case No.-318 Year-2024 Thana- BAHERI District- Darbhanga

Ram Dayal Das Son of Ram Pramod Das R/o Village - Turki, P.S.- Baheri,  
District – Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Om Prakash Kumar, Advocate

Mr. Swetang Sinha, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

- 4      23-06-2025      1. Heard learned counsel for the petitioner, learned APP for the State.
2. The petitioner apprehends his arrest in connection with Baheri P.S. Case no.318 of 2024 registered under Sections 126(2), 115(2), 118(1), 109, 74, 352, 351(2), 3(5) and 103(1) of the B.N.S, 2023.
3. The F.I.R was lodged against six persons with the allegation that they came at the house of the informant variously armed on 13.09.2024 in the middle of night and assaulted the informant's son due to which he sustained grievous injuries and ultimately he died during course of treatment. The cause of occurrence has also been stated that since informant's son had stolen a mobile phone from the house of Pappu Sada, hence the occurrence took place.
4. Learned counsel for the petitioner submits that perusal of the F.I.R would show that specific names of six



persons have been taken in the alleged occurrence and the name of the petitioner does not feature in the same. Further, there is no allegation that some unknown persons were also involved in the alleged occurrence. It has also been submitted that the name of the petitioner also did not feature in the reinstatement of the informant which was recorded on the same day. However, the name of the petitioner subsequently featured along with others in the re-statement of the informant which was recorded second time on 19.09.2024 which is recorded in paragraph no. 36 of the case diary. It would appear from the case diary that just before the second re-statement of the informant, confessional statement one of co-accused Pappu Sada was recorded in paragraph no.32 of the case diary and the name of the petitioner transpired in the confessional statement of co-accused made before police which has no evidentiary value. It is only after the name of the petitioner was disclosed in the confessional statement that the name of the petitioner behalf of Pappu Sada once again featured in the further statement of the informant which was recorded on 19.09.2024 along with a number of accused persons with no specific allegation. There is case and counter case and the case filed on behalf of Pappu Sada is Annexure-2 to the present application. The petitioner has no criminal



antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that postmortem report of the deceased would show that he had suffered a number of injuries.

6. Taking into consideration the fact that the petitioner was not named in the F.I.R and subsequently his name transpired with no specific allegation and the petitioner has no criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Baheri P.S. Case no.318 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

**(Soni Shrivastava, J)**

Harsh/-

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