

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25644 of 2025

Arising Out of PS. Case No.-168 Year-2019 Thana- GOPALPUR District- Patna

1. Ram Chandeshwar Ram @ Ram Chandeshwar Prasad @ Ram chandreshwar Prasad @ Ram chandeshwar S/O Late Ganga Mahto Resident of village- Bari Pahari, PS- Agamkuan, District- Patna
2. Raja Ram @ Raja Ram Mahto S/O Late Shyam Mahto Resident of village- Bari Pahari, PS- Agamkuan, District- Patna
3. Raj Ballabh @ Raj Ballabh Mahto S/O Late Shyam Mahto Resident of village- Bari Pahari, PS- Agamkuan, District- Patna
4. Amitabh Kumar @ Ravi Shankar Kumar S/O Ram Chandeshwar Prasad Resident of village- Bari Pahari, PS- Agamkuan, District- Patna
5. Randhir Kumar S/O Ram Chandeshwar Prasad Resident of village- Bari Pahari, PS- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-07-2025 Heard Mr. Shashi Kant, learned counsel for the petitioners and Mr. Ganesh Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Gopalpur P.S. Case No. 168 of 2019, F.I.R. dated 21.06.2019 for the offences punishable under Sections 341, 323, 147, 148, 337, 307, 504, 384, 379, 34 of Indian Penal Code.

3. According to prosecution case, the informant



alleged that when he was returning with his son from his land, in the meantime, the petitioners arrived and with common intention started abusing, assaulting and by creating fear at gun point forcefully took them on bike and assaulted his son. The accused persons snatched his son's mobile phone and informant's gold chain and also demanded Rs.10 lakh as Rangdari.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that earlier the anticipatory bail application of the petitioners was filed in the Court of Sessions Judge, Patna which was rejected on the ground that petitioners were having criminal antecedents and apart from that learned court below had granted the anticipatory bail to the co-accused persons, namely, Ratnesh Kumar, Gailan Kumar @ Utashav Kumar, Jitendra Kumar and Sanjay Kumar for the same set of allegations.

5. Learned counsel for the petitioner submits that although the petitioners are named in the FIR but there is no specific allegation of assault or overt act against them rather the allegation levelled against them are general and omnibus and it appears from the FIR that due to admitted land dispute the



present occurrence has taken place.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no.1 has two criminal antecedents and petitioner nos.2 and 3 have three criminal antecedents and petitioner nos.4 and 5 have one criminal antecedent but fairly submits on the basis of paragraph-3 of the bail application that the all the petitioners are on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioners and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the learned court below, 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 JM, 1st Class, Patna in connection with Gopalpur P.S. Case No. 168 of 2019 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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