

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25167 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- MALI District- Aurangabad

Vishwanath Ram Son of Late Sita Ram Resident of village - Banarasi Bigha,
P.S.- Mali, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr.Aman Vishal, learned counsel for the

petitioner and Ms.Gulnar Begum, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mali P.S. Case No.91 of 2024, dated 19.05.2024 registered for the offences punishable under Sections 147,148,149,341,323,324,325,448,307,504,506 of IPC and Sections 3,4 of Prevention of Witch Practices Act, 1999.

3. Allegation against the petitioner is that he assaulted to one Yogendra Ram with garasa as a result of which he sustained head injury.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in



the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 17.05.2024 but the present FIR has been instituted on 19.05.2024 after delay of two days without giving any explanation of delay. There is case and counter case. Although there is specific allegation against the petitioner that he has assaulted to one Yogendra Ram, although injury report of Yogendra Ram suggests that the injury is grievous in nature but from a bare perusal of the injury report of Yogendra Ram which suggests that he has received the injury in his hand which is not the vital part of the body and apart from that, co-accused persons, namely, Mithilesh Ram @ Mithlesh Ram, Shankar Ram @ Shankar Kumar and Shrawan Ram @ Shrawan Kumar have been granted privilege of anticipatory bail by this Court vide order dated 08.05.2025 passed in Cr. Misc. No.26142 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case, similarly situated co-accused persons have been granted privilege of anticipatory bail



by this Court and injury inflicted upon the injured person is not on the vital part of the body, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Aurangabad in connection with Mali P.S. Case No.91 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner 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 petitioner and in case at any stage, it is found that the petitioner has concealed his/her



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

Nitesh/-

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

