

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26483 of 2025**

Arising Out of PS. Case No.-304 Year-2021 Thana- BANMANKHI District- Purnia

Radhe Sah @ Radhe Kumar Sah Son of Brahmdev Sah Village -Dhokar  
Dhara, Ward No.6 PS- Banmakhi Dist -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shivnandan Sah, Adv  
For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

3      16-07-2025                      Heard learned Counsel for the petitioner and learned  
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered  
for the offences punishable under Sections 147, 148, 149, 302,  
323 and 504 of the I.P.C.

3. As per the prosecution case, Bechan Sah and his  
family members saw that the younger brother of the informant,  
namely, Akash Kumar @ Laltu was talking on his mobile phone  
and on suspicion the named accused persons including the  
petitioner are said to have assaulted him due to which he  
became unconscious and died during the course of treatment.

4. Learned counsel for the petitioner has submitted  
that the petitioner has falsely been implicated in this case and  
there is general and omnibus allegation levelled against him. It



is further submitted that the police after investigation had submitted final form against the petitioner showing him to be innocent, however, the learned trial Court had differed from such final form and took cognizance and therefore, the petitioner was taken into custody. It is next submitted that there is a case and counter case between the parties and both the sides have sustained injury and there is no specific allegation of overt act alleged against the petitioner. It is also submitted that similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.05.2025 passed in Cr. Misc. No. 33009 of 2025. It is lastly submitted that the petitioner has clean antecedent and is in custody since 28.02.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also considering the nature of allegation being general and omnibus, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnia, in connection with Banmankhi P.S. Case No. 304 of 2021, subject



to the following conditions:-

*(i) One of the bailors will be a close relative of the petitioner.*

*(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.*

*(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.*

*(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.*

*(v) The learned 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 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 the same or in the name of verification.*

7. The application stands allowed.

**(Sourendra Pandey, J)**

Jyoti/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

