

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26479 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- Paivigha District- Gaya

Ramanuj Kumar S/O Ram Pravesh Bind R/O Vill.- Murat Bigha, P.S.- Pai
Bigha, Dist.- Gaya(Wrongly mentioned as Deepak Kumar in the I.O.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 02-09-2025 Heard Mr. Manish Kumar No. II, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 109/115(2)/118/126/352/351(2-4) and 3(5) of the BNS lodged by the informant.

3. As per the prosecution story, the informant alleged that when she was departing from temple, the accused surrounded and this petitioner gave iron-rod blow on her head. Deepak and Gulabi Devi assaulted the informant by *Lathi*. As the locals arrived, the accused requited. The police came and the injured were sent to the hospital for treatment, this led to the F.I.R.

4. Learned counsel for the petitioner submits that there is case and counter case. Both the sides have sustained



injuries. So far as the allegations against this petitioner is concerned, he is alleged to have assaulted Gulabi Devi and Mithlesh Kumar and the injuries have been found to be simple in nature as reflects from paragraph No. 25 of the case diary. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State opposing the prayer submits that though there is case and counter case, petitioner is alleged to have assaulted both the informant and her husband and he has got one criminal antecedent also.

6. Considering the submissions of the parties and taking into consideration the fact that there is case and counter case and the injuries have been found to be simple in nature and also the undertaking given by the petitioner, this Court is inclined to enlarge the petitioner on bail, subject to payment of Rs. 5,000/- to Gulabi Devi (informant) as undertaken by the



learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. In view of the above, let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like in connection with amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of his bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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