

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32150 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- DHAKA District- East Champaran

Rampadarath Sah S/o- Late Chulai Sah Resident of village - Purhani P.S. -
Dhaka District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Dhaka P.S. Case No.41 of 2025 registered for the offence under sections 191(2), 190, 115(2), 117(2), 109, 303(2), 351(2) and 352 of the B.N.S, Act, 2023 and subsequently Section 103 of the B.N.S has been added.

3. As per prosecution case, the informant states that accused Harendra Mahato along with others came variously armed and assaulted the informant and his family members. Accused Harendra Mahato assaulted the informant's son Nitesh Kumar with an iron rod on his head due to which he sustained grievous injuries and he died during the course of treatment. Accused Vijay Kumar assaulted Bittu Kumar with an iron rod



due to which he sustained injury on his eyebrow.

4. It is submitted by learned counsel for the petitioner that it would be clear from the bare perusal of the F.I.R itself that the matter relates to land dispute and the petitioner is not named in the F.I.R although the names of several other persons have taken. Learned counsel for the petitioner further submits that initially the case was lodged under Section 109 of the B.N.S and subsequently Section 103 of the B.N.S has been added as the injured Nitesh Kumar died. The specific allegation of assault upon the deceased is attributed against co-accused Harendra Mahato. With regard to other injured persons, namely, Bittu Kumar and Rishikesh Kumar there are general and omnibus allegations levelled against the accused as would be evident from the order of rejection of the learned trial Court. The petitioner has no criminal antecedent and he is in custody since 17.03.2025.

5. The application for bail is opposed by learned APP for the State.

6. Considering the entire facts and circumstances of the case, the petitioner is directed to be enlarged on bail in connection with Dhaka P.S. Case No.41 of 2025 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
S.D.J.M, Sikarhana at Dhaka/Successor Court.

(Soni Shrivastava, J)

Harsh/-

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