

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32969 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- KARAHGAR District- Rohtas

1. Guddu Ram Son of Chatur Ram Village -Kargahar PS- Kargahar District- Rohtas
2. Mishri Ram @ Rakesh Ram Son of Late Bikrama Ram Village -Kargahar PS- Kargahar District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Rakesh Singh, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Kargahar P.S. Case No.119 of 2024 instituted under Sections 302, 323, 325, 341 and 34 of the I.P.C.

3. As per prosecution case, on 19.03.2024 the F.I.R. named accused, namely, Mishri Ram, Mantosh Ram and Guddu Ram assaulted the son of the informant. It is alleged that the accused persons surrounded the informant and his uncle Vindhyachal Kahar and assaulted by means of iron rod. Thereafter four other co-accused persons came there and started assaulting the informant and his uncle with *lathi* due to which



informant sustained injury on his leg and his uncle Vindhyachal Kahar got injury on his head. Thereafter, accused persons fled away. The injureds were sent to the hospital for treatment. On 17.04.2024, the uncle of the informant died during course of his treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to ulterior motive. The alleged date of occurrence is 19.03.2024 whereas the present F.I.R. has been lodged on 18.04.2024, i.e. after the delay of about one month, after the death of deceased Vindhyachal Kahar without any plausible explanation. He has pointed out that from perusal of the Inquest Report annexed to the F.I.R., it is evident that the same was prepared on 17.04.2024 in which Manoj Kahar (own brother of the informant) and Santosh Kharbar (cousin of the informant) are witnesses. It is stated that the deceased died on being ill during treatment. He further submits that the postmortem report of the deceased also suggests that the deceased died due to infection. Petitioner no.1 has one criminal antecedent and petitioner no.2 has two criminal antecedents in which both are on bail. Petitioners undertake to cooperate in the investigation and the trial.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Rohtas at Sasaram in connection with Kargahar P.S. Case No.119 of 2024, subject to the conditions as laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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