

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32892 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- Baijnathpur District- Saharsa

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Raman Yadav son of Late Harilal Yadav Village -Sapha Ward No.15 PS
-Baijnathpur Dist -Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv

For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Baijnathpur P.S. Case No. 75 of 2024 registered for the offences punishable u/s 126(2), 118(1), 109, 303(2), 352, 351(2) (3) and 3(5) of the B.N.S.

3. As per the prosecution case, the petitioner and the other co-accused persons armed with deadly weapons came at the land of the informant and started digging a pillar. On being objected by the informant, the petitioner and the co-accused Meena Devi ordered their sons to kill the informant upon which the co-accused Manish Kumar attacked on the head of the



informant with Farsa due to which he sustained injury. On hearing the commotion, when the son of the informant, namely, Sanjit Kumar, came to rescue him, the co-accused Manish Kumar also assaulted on his head due to which he became unconscious. It is further alleged that Raman Yadav (petitioner) snatched a gold chain from the neck of the informant's son and the co-accused Meena Devi took away cash of Rs. 24,000/- and a mobile phone from the pocket of the informant's son.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that both the parties are agnates and there is a case and counter case between the parties. It is next submitted that no specific allegation of overt act is alleged against the petitioner barring that he was an order giver and snatched a gold chain from the neck of Sanjit Kumar (informant's son). It is also submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 03.03.2025.

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 taking into account the fact that there is no allegation of overt act against the petitioner and no incriminating article has been recovered from his conscious possession coupled with the fact that the petitioner is in custody since 03.03.2025, 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, Saharsa, in connection with Baijnathpur P.S. Case No. 75 of 2024, subject to the following conditions:-

(i) One of the bailors will be 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 or in the name of verification.



7. The application stands allowed.

(Sourendra Pandey, J)

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