

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35033 of 2025**

Arising Out of PS. Case No.-8 Year-2025 Thana- WARISLIGANJ District- Nawada

1. Kapil Ram S/o Late Dhani Ram R/o Village- Simri Dih, P.S.- Warisliganj, District- Nawada
2. Sudhir Ram S/o Late Dhani Ram R/o Village- Simri Dih, P.S.- Warisliganj, District- Nawada
3. Chandan Ram S/o Sudhir Ram R/o Village- Simri Dih, P.S.- Warisliganj, District- Nawada
4. Fulchand Ram @ Fulchan Ram @ Fulchand Kumar S/o Kapil Ram R/o Village- Simri Dih, P.S.- Warisliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      20-08-2025                      Heard Learned Counsel for the petitioners and  
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Warisaliganj P.S. Case No. 8 of 2025, lodged on 03.01.2025, under Sections 126(2) /329(4) /352 /115(2) / 109/351(2)/303(2)/3(5)/103 of the Bhartiya Nyay Sanhita, 2023.



3. As per the prosecution, FIR has been lodged against ten named accused persons including the present petitioners against who allegation is that they have entered into her house and started hurling abuses and assaulting her husband by means of lathi due to which he sustained injury and also allegation of snatching cash of Rs.5000/- and chain by petitioner No.3 and 4 respectively.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the specific allegation of assault on the head of the deceased is against Sintu Ram. He submits that there was free fight between the parties and persons of both sides received injuries. Counsel submits that from the post mortem report, it transpires that deceased died due to head injury which is grievous in nature and other injuries seems to be simple in nature. Counsel submits that petitioner Nos.1 and 2 have no criminal antecedent. However, the petitioner Nos.3 and 4 have one criminal antecedent. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that specific allegation of



assault on the head of the deceased is against Sintu Ram.

6. Considering clean antecedent and old age of petitioner Nos.1 and 2, let the above named petitioner Nos. 1 and 2 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Nawada, in connection with Warisaliganj P.S. Case No. 8 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as petitioner Nos.3 and 4 are concerned, considering the specific allegation of snatching cash, chain and criminal antecedent, this Court is not inclined to grant anticipatory bail to petitioner No.3 and 4. Hence, their prayer for anticipatory bail is hereby refused.

8. And further condition that the Trial Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. 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.

(Dr. Anshuman, J)

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