

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38866 of 2025

Arising Out of PS. Case No.-391 Year-2024 Thana- KALYANPUR District- East Champaran

Ramesh Rai @ Ramesh Yadav S/o Late Chhathu Rai Resident of Village-
Siswa Basant, PS- Kalyanpur, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kalyanpur P.S. Case No. 391 of 2024, dated 23.11.2024, registered for the offences punishable under Sections 127(1), 115(2), 118(1), 74, 303(2), 352, 351(2) and 3(5) of BNS, 2023.

3. As per allegation, on account of land dispute, occurrence took place causing injury on both sides, leading to lodging of case and counter case.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that informant and petitioner are next door neighbours and on account of land dispute, altercation took



place, causing injury on both sides. He further submits that the counter case lodged by the petitioner's side is Kalayanpur P.S. Case No. 406 of 2024 dated 02.12.2024, registered for the offence punishable under Sections 127(1), 115(2), 118(1), 303(2), 352, 351(2) and 3(5) of BNS, 2023. He further submits that one co-accused has already been enlarged on bail by the Co-ordinate Bench of this Court vide order dated 23.04.2025 passed in Cr. Misc. No. 20786 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances and seeing the case and counter case, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned concerned Court below, in connection with Kalyanpur P.S. Case No. 391 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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