

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40291 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- KOPA District- Saran

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Rameshwar Prasad @ Rameshwar Bin Son of Rajbali Prasad @ Rajbali Bin
R/o- Chaukhada/ Choukhara, P.S.- Kopa, District - Saran.... ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-07-2025 Heard Mr.Anjani Parashar, learned counsel for the

petitioner and Mr.Chandra Sen Prasad Singh, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kopa P.S.Case No.213 of 2024, FIR dated 28.11.2024 registered for the offences punishable under Sections 126(2),115(2),109,74,75,303(2),352,351(2),351(3),3(5) of B.N.S., 2023.

3. Allegation against the petitioner is that he was having an iron rod in his hand and he has assaulted the injured with the same on head of Shatrughan Prasad due to which he became injured.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR. As per allegation in the FIR, the petitioner has assaulted to the father of the informant namely, Shatrughan Prasad. Although said Shatrughan Prasad has received the injury but the injury report of Shatrughan Prasad suggests that the injury is simple in nature and there is case and counter case and apart from that, the date of occurrence as alleged in the FIR is 25.11.2024 but the present FIR has been instituted on 28.11.2024 after delay of three days without giving any explanation of delay.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, the petitioner has clean antecedent and injury inflicted upon the injured person is simple in nature, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Kopa P.S. Case No.213 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bonds shall be cancelled by the Court below.

(II) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the 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/her 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.

(Rajesh Kumar Verma, J)

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