

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36692 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Pramod Rai @ Pramod Patel S/o Babulal Patel @ Babulal Rai R/o Village-
Pachharwa, PS- Majorganj, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 40130 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Sanjay Kumar Patel @ Sanjay Patel Son of Late Uttam Prasad Rai Resident
of Village - Hanuman Nagar Pachwaharva, P.S.- Mejorganj, District -
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 36692 of 2025)
For the Petitioner/s : Mr.Suresh Prasad Bhakta
For the Opposite Party/s : Mr.Nagendra Prasad
(In CRIMINAL MISCELLANEOUS No. 40130 of 2025)
For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 20-06-2025 Heard learned Counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending their arrest in a
case registered for the offence punishable under Section 126(2),
127(2), 115(2), 118(1), 109, 316(2), 318(4), 351(2), 351(3), 3(5)
of the B.N.S.



3. As per the prosecution case, on 16.08.2024 at about 10:30 in the night, the informant was sleeping in his house and information was given by one Lalita Devi that there was a snake in her house and when the informant went there, the accused persons, namely, Shatrudhan Patel, Pramod Patel (Petitioner) and Sanjay Patel (Petitioner) attacked on him. It is further alleged that the co-accused Aman Patel had assaulted the informant on his head with the butt of the pistol, co-accused Amod Patel assaulted him with an axe on his leg and the co-accused Satrudhan Patel assaulted him by *dabiya* near his eye due to which he sustained severe injuries and he was taken to Sadar Hospital from where he was referred to S.K.M.C.H., Muzaffarpur for better treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is general and omnibus allegation against all the accused persons including the petitioners rather the specific allegation of assaulting the deceased on his head is against the co-accused Aman Patel. It is next submitted that admittedly there was a money dispute between the parties and the occurrence had taken place during the night, therefore, the identification by the



informant also becomes doubtful. It is lastly submitted that the petitioner Pramod Patel has clean antecedent whereas the petitioner Sanjay Patel has one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation against the petitioners to have assaulted the informant due to which he died during the course of treatment and from perusal of the post-mortem report, it is evident that the deceased had sustained grievous injuries over his body.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the specific allegations of assault are on the other co-accused persons, let the above named petitioners, in the event of their arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Majorganj P.S. Case No. 257 of 2024, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioners.

(ii) The petitioners 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 petitioners are found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bond.

(v) The learned Court below 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 court below 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.

7. The applications stand allowed.

(Sourendra Pandey, J)

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