

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38559 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- AGRER District- Rohtas

1. Kashi Ram S/O Jogindra Ram @ Yogendra Ram R/O Village- Mokar, PS- Agrer, Dist.- Rohtas
2. Jogindra Ram @ Yogendra Ram S/O Late Ramayan Ram R/O Village- Mokar, PS- Agrer, Dist.- Rohtas
3. Pradip Ram @ Pradip Kumar S/O Ashok Ram R/O Village- Mokar, PS- Agrer, Dist.- Rohtas
4. Anil Ram @ Anil Kumar S/O Suresh Ram R/O Village- Mokar, PS- Agrer, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2025 Heard Mr. Babu Nandan Prasad, learned counsel

for the petitioners and Mr. Ram Sumiran Rai, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Agrer P.S. Case No. 64 of 2025, F.I.R. dated 26.03.2025 for the offences punishable under Sections 191(20, 190, 126(2), 115, 132, 125(a), 125(b) of B.N.S. 2023 and Sections 45 and 37 of the Bihar Prohibition and Excise Amendment Act, 2018/2022.

3. According to prosecution case, the petitioners



with other accused persons have assaulted the police party.

4. Learned counsel for the petitioners fairly submits that although the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act and even not any incriminating articles have been recovered from the possession of the petitioners and specific allegation of assault is attributed against the co-accused person, namely, Radheyshyam Ram and his son, namely, Kamlesh Ram and although there is specific allegation in the F.I.R. that the Police personnel have received the injury but there is no injury report on the record which suggests that anyone received the injury in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that the petitioner no. 1 carries three criminal antecedents, petitioner no. 2 carries two criminal antecedents, petitioner no. 3 carries one criminal antecedent and petitioner no 4 has clean antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioners are on bail in the pending matters.

6. Considering the aforesaid facts, there is no



specific allegation of any assault or over act against these petitioners, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Court No. I, Rohtas as Sasaram in connection with Agrer P.S. Case No. 64 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 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.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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