

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43041 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- HARPUR District- East Champaran

Ram Ratan Kumar S/o Moti Sah @ Motilal Sah R/o Vill- Bela Murla, P.S.-
Ramgarhwa, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr .Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr .Umesh Lal Verma, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Harpur P.S. Case No. 28 of 2024, F.I.R. dated 08.09.2024 for the offences punishable under Sections 317 (4) and 317(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the petitioner and other accused persons have assaulted to the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the name of the petitioner has been transpired on the basis of the disclosure made by the apprehended co-accused persons, namely, Kishan Kumar and Nitesh Kumar and the apprehended



co-accused persons are the brother-in-law of the petitioner and the apprehended co-accused persons have informed the police that they have purchased the motorcycle in question from the petitioner after paying the consideration amount of Rs. 25,000/- (Rs. Twenty five thousand). He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and except the disclosure made by the apprehended co-accused persons, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, and the petitioner has clean antecedent, 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 the learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari in connection with Harpur P.S. Case No. 28 of 2024,, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure /
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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/-

U		T	
---	--	---	--

