

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47876 of 2025

Arising Out of PS. Case No.-681 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Sanjiwan Singh @ Ram Sanjiwan Singh @ Ram Sanjiwan Kumar @
Ramjiwan Singh S/O Yadunandan Singh Resident of Village- Aurey, P.S.-
Ramgarh, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amritesh Kumar, Adv.

For the Opposite Party/s : Mr. S.K. Lal, Sr. Adv.

Mr.Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-10-2025 Heard learned counsel for the petitioner, learned
senior counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Lakhisarai (Ramgarh O.P.) P.S. Case No. 681 of 2023, registered for the offences under Sections 147, 148, 149, 307, 325, 354, 504 of the Indian Penal Code and later on added Section 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, in the background of quarrel between children, the petitioner and other co-accused persons who were armed with *lathi*, *danda*, *bhala* and *garasa* attacked the house of the informant and assaulted the son, wife and the daughter of the informant in which the son of the informant became seriously injured and subsequently



succumbed to his injuries.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. Prior to lodging of the present FIR, the daughter of the co-accused Gopal Singh lodged Lakhisarai (Ramgarh OP) P.S. Case No. 674 of 2023 on 04.09.2023 making allegation against the deceased that he tried to outrage the modesty of the girl and the son of the informant was assaulted by public. When the son of the informant and his associate tried to flee away on the motorcycle, they dashed their motorcycle to a pole and became injured. Learned counsel further submits that only three injuries have been found on the deceased son of the informant whereas allegation has been made against altogether 15 persons for causing his death. The similarly situated co-accused persons namely, Sanjivan Kumar, Sachin Kumar, Rinku Devi, Hira Devi, Lalmuni Devi & Yadunandan Singh have been granted bail by a Co-ordinate Bench of this Court vide order dated 20.12.2024 passed in Cr. Misc. No. 33341 of 2024. Learned counsel further submits that the petitioner suffers from 45 % locomotor disability which is permanent in nature and on account of his disability, he is not even able to walk without



support of stick and in the light of this fact the allegation of assault by the petitioner is not believable. Learned counsel further submits that the petitioner is in custody since 16.04.2025 and is having antecedent of one case in which he is on bail. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State as well as learned senior counsel appearing for the informant vehemently oppose the submission made on behalf of the petitioner. Learned senior counsel for the informant submits that the petitioner absconded and steps under Section 82 and 83 of the Cr.P.C. have been taken against him. Trial has proceeded further and only one witness, the doctor has to be examined in this case. Learned senior counsel further submits that while this petitioner was being taken to the Court for production, he threatened the informant on his way.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the case and counter case between the parties and further considering the fact that petitioner is said to be a handicapped person suffering from certain disability, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like



amount each to the satisfaction of learned District and Additional Sessions Judge-III, Lakhisarai/concerned court, in connection with Lakhisarai (Ramgarh O.P.) P.S. Case No. 681 of 2023 subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

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

(ii) The petitioner 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 three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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