

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46216 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- BHAGWANPUR District- Vaishali

1. Anil Kumar @ Anil Ram @ Anil Kumar Ram S/O Late Ram Swaroop Ram R/O Village- Sheikhopur Dhidhiya, P.S- Bhagwanpur, Distt.- Vaishali.
2. Chandreshwar Ram @ Chandeswar Ram S/O Late Chalitar Ram R/O Village- Sheikhopur Dhidhiya, P.S- Bhagwanpur, Distt.- Vaishail.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-07-2025 Heard Mr. Ashutosh Kumar, learned counsel for the petitioners and Mr. Anand Kishore Choudhary, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bhagwanpur P.S. Case No. 93 of 2025, F.I.R. dated 10.04.2025 for the offences punishable under Sections 126(2), 115, 118(1), 109, 74, 326(G), 303(2), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons entered his house and assaulted him and his family members. During the course of scuffle, the accused persons took away



gold articles, clothes and cash from the informant's house. It is further alleged that the accused persons set the informant's house on fire.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. There is case and counter case between the parties. Although the petitioners are named in the FIR and there is specific allegation against them that they assaulted the informant and his family members but the injury report of the injured persons suggest that injury inflicted upon them is simple in nature and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the learned Court below vide order dated 31.05.2025 in A.B.P. No. 1098 of 2025.

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

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and injury inflicted upon the injured persons is simple in nature and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the learned Court below, 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 A.C.J.M-Vith, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 93 of 2025, 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. 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 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 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)

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