

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48241 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- ATHMALGOLA District- Patna

Ramanuj Yadav Son of Late Ramanugraha Yadav Resident of Village-
Thamha, P.S- Athmalgola, District- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Ms. Kumari Pallavi, learned counsel for the

petitioner and Mr. Akshay Lal Pandit, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Athmalgola P.S. Case No. 136 of 2025, F.I.R. dated 21.04.2025 for the offences punishable under Sections 126(2), 115(2), 109(1), 74, 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, due to previous enmity all the accused persons including this petitioner have assaulted the informant and her husband and on the petitioner's order the co-accused has assaulted on the head of her husband by means of brick which caused him severe injury. It is further alleged that the accused persons snatched the informant's ornaments and fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. Although petitioner is named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation of assault or overt act attributed against the petitioner and at best the petitioner is the order giver and the other accused persons have assaulted the injured persons. It also appears from the F.I.R that due to admitted land dispute the present occurrence took place.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the master mind of the present occurrence and on his order the co-accused persons have assaulted the injured person. Apart from that the petitioner carries two criminal antecedents other than the present one but fairly submits that out of two cases petitioner is on bail in one case.

6. Considering the aforesaid facts and circumstances, 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, Barh, Patna in connection



with Athmalgola P.S. Case No. 136 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. 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 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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