

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56456 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- NOKHA District- Rohtas

1. Joytish Kumar @ Joytish Ram S/o Kanhaiya Ram @ Shivdayal Ram R/o Village - Shivpur, P.S - Nokha, District - Rohtas
2. Shivdayal Ram S/o Late Ramdas Ram R/o Village - Shivpur, P.S - Nokha, District - Rohtas
3. Lal Jee Ram S/o Shukh Raj Ram R/o Village - Shivpur, P.S - Nokha, District - Rohtas
4. Lakh Raj Ram S/o Ram Pyare Ram R/o Village - Shivpur, P.S - Nokha, District - Rohtas
5. Kanhaiya Ram S/o Shivdayal Ram R/o Village - Shivpur, P.S - Nokha, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-09-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Nokha P.S. Case No. 118 of 2025 registered for the offence under Sections 191(2), 190, 126(2), 115(2), 109, 329(4), 352, 351(2) and 351(3) of the B.N.S., lodged on 26.04.2025 by the informant, Lal Kumari Devi.

3. As per the prosecution story, the informant alleged that when she was coming from her field, the accused persons abused/assaulted, the allegation against petitioner no.5 is of



giving wooden rod blow on the head as a result, she became unconscious. The further allegation against petitioner nos. 1 and 3 is of entering in the house and assaulting other family members. This led to the F.I.R.

4. Learned counsel for the petitioner submits that there is case and counter case to the said occurrence, both sides have suffered, they do not have criminal antecedent. Further submission is that the injury has been found to be simple in nature and the last submission is that without accepting the allegation or outcome of the petition the petitioners intend to pay Rs.1,000/- each (totaling Rs.5,000/-) to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that though there is case and counter case, assault theory is attributed to one of the petitioner.

6. Considering the submissions of the parties as also that the petitioner do not have criminal antecedent, the injury has been found to be simple in nature, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.1,000/- each (totaling Rs.5,000/-) to the informant through Demand Draft issued by the local



branch of the State Bank of India to be submitted at the time of execution of the bail bond and the same shall be handed over as and when the informant comes to the Court after checking his/her credentials.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Nokha P.S. Case No. 118 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance and at the end of the period a certificate be submitted



before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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