

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62446 of 2025

Arising Out of PS. Case No.-212 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Sogarath Rai @ Ram Sogarath Prasad S/O Late Sahdeo Rai R/O Vill.-
Bhawanipur, Adampur Donma, P.S.- Rampur Hari, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 3(5), 103(1) of the B.N.S.

3. The prosecution case, according to the F.I.R., is that the accused persons are said to have assaulted the deceased Nawal Roy with an iron pipe, due to which he sustained serious injuries.

4. Learned counsel for the petitioner submits that it would appear from the F.I.R. itself that the petitioner has not been named in the F.I.R. and the allegations are against other accused persons of having assaulted Nawal Rai, who subsequently succumbed to the injuries due to which Section 103(1) of the



B.N.S was also added. It is further submitted that the death of the deceased took place four days after the occurrence and the postmortem report reveals that the deceased had sustained injuries in the nature of abrasions and bruises. It is further submitted that the postmortem report, coupled with the fact that the deceased died after four days of occurrence is indicative of the fact that it is not a case of murder. It has further been submitted that the F.I.R. named accused Hari Rai, with specific allegation of assault, has already been granted the privilege of regular bail by a co-ordinate Bench of this Court vide order dated 09.07.2025 passed in Cr. Misc. No. 39517 of 2025, whereas the present petitioner, who is the old-aged father of the said co-accused Hari Rai, has not even been named in the F.I.R, much less, any allegations of assault having been levelled against him.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and also considering that the petitioner has not been named in the F.I.R and one of the co-accused with specific allegation of assault has been granted the privilege of regular bail and the petitioner being 71 years old man, having no criminal antecedent, let the petitioner, above named, in the event



of his arrest or surrender before the Court below within four weeks, be released on anticipatory 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 lower Court where the case is pending/successor Court in connection with Rampur Hari P.S. Case No. 212 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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