

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60810 of 2025

Arising Out of PS. Case No.-261 Year-2025 Thana- ISLAMPUR District- Nalanda

1. Parmanand Prasad @ Parmanand Ram S/o Late Raj Kishore Prasad R/o Village- Laxmi Bigha, P.S.- Islampur, District- Nalanda
2. Govind Kumar S/o Late Raj Kishore Prasad R/o Village- Laxmi Bigha, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Jay Ram Prasad, learned counsel for the petitioners and Mrs. Pushpa Sinha, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that during pendency of the present bail application the petitioner no. 2, namely, Govind Kumar has been arrested. So the present bail application with respect to him got infructuous. Hence, he seeks permission to withdraw this application with respect to petitioner no. 2.

3. Permission is accorded.

4. Accordingly, this application stands dismissed as withdrawn as having become infructuous with respect to



petitioner no. 2.

5. The petitioner, namely, Parmanand Prasad @ Parmanand Ram is apprehending his arrest in connection with Islampur P.S. Case No. 261 of 2025, F.I.R. dated 18.05.2025 for the offences punishable under Sections 126(2), 115(2), 109, 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

6. According to prosecution case, this petitioner along with two other accused persons armed with katta assaulted the informant and his son.

7. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the F.I.R that due to previous land dispute the present occurrence took place. There is case and counter case between the parties. He further submits that although the petitioner is named in the F.I.R but there is no allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific



allegation against the petitioner, there is case and counter case between the parties and due to land dispute the present occurrence took place, let the petitioner, namely, Parmanand Prasad @ Parmanand Ram, 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Islampur P.S. Case No. 261 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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