

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61610 of 2025

Arising Out of PS. Case No.-251 Year-2020 Thana- KESARIA District- East Champaran

Navin Das S/O Bhaju Das @ Bhajulal Das R/O Village- Trilokwa, P.S.-
Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-11-2025 Heard

2. The petitioner apprehends his arrest in connection with Kesaria P.S. Case No. 251 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 324, 307, 354(A)(B), 379, 504, 506 of the Indian Penal Code.

3. On the alleged date of occurrence, while the informant was going to his field, all the FIR named accused persons, surrounded him and started abusing and assaulting. It is specifically alleged that on the exhortation made by Jitendra Das, co accused Pravin Das assaulted the informant by means of farsa. When mother of the informant came to his rescue, the petitioner instigated and dictated the other accused persons to tear her clothes.

4. Learned Advocate for the petitioner referring to the



FIR contended that save and except the allegation of dictating other accused persons to tear the clothes of the informant's mother, there is no allegation of any active participation of the petitioner. The reason for false implication of the petitioner is duly scribed in para-10 of the bail application that earlier the father of the petitioner had lodged an FIR against the informant and others vide Kesaria P.S. Case No. 306 of 2015 and because of previous enmity his name has been implicated. There is counter version of the present case being Kesarai P.S. Case No. 252 of 2020. Other co-accused persons having identical allegation have been allowed the privilege of anticipatory bail. The petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner has been evading his arrest for the last five years and he has actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, coupled with the previous enmity and the fact that other co-accused persons have been allowed the privilege of anticipatory bail by this Court, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court



below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sadar, Motihari, East Champaran in connection with Kesaria P.S. Case No. 251 of 2020, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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