

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68847 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- KATHAIYA District- Muzaffarpur

Ramesh Kumar Sah @ Ramesh Kumar @ Ramesh Shah S/O Shivnath Sah @
Sivnath Sah R/O Vill.- Jasauli, P.S.- Kathaiya, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. Arvind Kumar, learned counsel for the
petitioner and Mr. Sanjay Kumar Tiwary, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Kathaiya P.S. Case No. 131 of 2025, F.I.R. dated 04.07.2025
for the offences punishable under Sections 191(2), 191(3), 329(3),
329(3), 126(2), 115(2), 109, 74, 75, 117(2), 303(2), 324(4), 324(5),
352, 351(2), 351(3) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant
alleged that when she was sitting with her husband at door, in the
meantime, the petitioner along with other co-accused person came
and started abusing and assaulted them. When son of the informant
came to rescue, the accused persons assaulted him also.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that the petitioner is named in the FIR and there is specific allegation against the petitioner that he assaulted to the husband of the informant. Although the husband of the informant received injury but it appears from his injury report that injury inflicted upon him is simple in nature caused by hard and blunt substance and apart from that similarly situated co-accused persons have been granted the privilege of anticipatory bail by learned trial Court itself.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and injury inflicted upon the injured person is simple in nature and similarly situated co-accused persons have been granted the privilege of anticipatory bail by learned trial Court itself, let the petitioner, above named, in the event of 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 S.D.J.M (West) Muzaffarpur in connection with Kathaiya P.S. Case No. 131 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 bond 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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