

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71515 of 2025

Arising Out of PS. Case No.-243 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Rambabu Prasad R/o Banka Sah @ Banka Prasad R/o Vill. - Champapur, P.S.
- Ramgarhwa, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in
connection with Ramgarhwa P.S. Case No. 243 of 2025
registered for the offences punishable under Sections 126(2),
115(2), 109, 118(2), 351(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the informant has
alleged that the F.I.R. named accused persons including the
petitioner armed with *lathi*, *danda*, etc. came and assaulted the
son of the informant causing head injury. It has been alleged that
the son of the informant was taken to Ramgarhwa Government
Hospital where the he got stitches and seeing his condition he
was further referred to Sadar Hospital, Motihari.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and the very allegation of assault and stitches being given to the injured son of the informant, namely, Ravi Kumar stands contradicted from the fact that he was sent to judicial custody on the very next day of incident and no such report of serious head injury was taken note of. He further submits that in the said occurrence there was case and counter-case. It has been submitted that there is no specific allegation against the petitioner and the allegations are vague, general and omnibus. He lastly submits that the petitioner has clean antecedent and he is in custody since 09.07.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, 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 court below where the case is pending/successor court in connection with Ramgarhwa P.S. Case No. 243 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his

close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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