

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71229 of 2025**

Arising Out of PS. Case No.-137 Year-2025 Thana- SAHEBPUR KAMAL District-  
Begusarai

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1. Ram Kumar son of Ashok Das @ Ashok Tanti Resident of Village-  
Bakhadda (Bakhadd), PS -Sahebpur Kamal District -Begusarai At Present  
Both Resident of Village- Haibatpur, Koriya, Ps- Cheriya Bariyarpur, Dist-  
Begusarai
  2. Suraj Kumar son of Babu Lal Tanti @ Lal Babu Tanti Resident of Village-  
Bakhadda (Bakhadd), PS -Sahebpur Kamal District -Begusarai At Present  
Both Resident of Village- Haibatpur, Koriya, Ps- Cheriya Bariyarpur, Dist-  
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                   |
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| For the Petitioner/s | : | Mr. Sandip Kumar Gautam, Advocate |
| For the State        | : | Mr. Bharat Bhushan, APP           |
| For the Informant    | : | Mrs. Asmita Bharti, Advocate      |

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      14-10-2025                      Heard Mr. Sandip Kumar Gautam, learned counsel  
  
for the petitioner and Mrs. Asmita Bharti, learned counsel  
  
representing the informant as also Mr. Bharat Bhushan, learned  
  
APP representing the State.

2. The petitioners are apprehending their arrest in  
connection with Sahebpur Kamal P.S. Case No. 137 of 2025  
registered for the offence under Sections 191(2), 126(2), 115(2),  
118(1), 352, 351(1), 351(2), 76, 109(1), 303(2) and 3(5) of the  
B.N.S., lodged on 14.05.2025 by the informant, Kavita Devi.

3. As per the prosecution story, the informant alleged



that while she was working in the house, the named accused persons came and started assaulting. Allegation is that on the order of Ashok Tanti, the accused outraged her modesty and assaulted, allegation against Suraj Kumar (petitioner no.2) and Lalan Kumar is of dragging the informant and throwing her on the ground. Further, Suraj Kumar and Lalan Kumar assaulted her by sword/brick, when the brother in law (bhaisur) came to rescue, Ram Kumar gave brick blow to him on the head causing head injury and he also fell on the ground. Allegation against Ram Kumar further is of assaulting with brick on the nose of Lakhan Das while Chandan Kumar and Ankit Kumar assaulted with lathi to Lakhan Das.

4. It is alleged that when one Ganesh Kumar/Amlesh Sao came to rescue, Lalan Kumar gave iron rod blow on the head of Amlesh Sao causing injury, again Niraj Kumar and Ankit Kumar assaulted by brick on Ganesh Kumar and the allegation of taking away some amount/ornament is/are also there. Injured were rushed to Sahebpur Kamal Hospital from where Lakhan Das were shifted to Begusarai Sadar Hospital. This led to the F.I.R.

5. Learned counsel for the petitioner submits that all the family members have been implicated, both have no



criminal antecedent and the injury attributed by the petitioner no.2, Suraj Kumar to the informant has been found to be simple in nature. Last submission is that without accepting the allegation or outcome of the present petition, the petitioners intend to pay Rs.10,000/- to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

6. Learned counsel for the informant on the other hand has taken this Court to the learned Sessions Judge order to show that the injury sustained by Lakhan Das by the petitioner no.1, Ram Kumar has been found to be grievous in nature.

7. Considering the submissions of the parties as also the injury that has come against Lakhan Das attributed to petitioner no.1, Ram Kumar, no relief can be granted to him.

8. The anticipatory bail application of the petitioner no.1, Ram Kumar stands rejected.

9. So far as petitioner no.2, Suraj Kumar is concerned, though the allegation of assault on the informant is there against him, the injury has been found to be simple in nature, he do not have criminal antecedent, is only 21 years of age, in that background, this Court is inclined to extend him the privilege of



anticipatory bail subject to payment of Rs.10,000/- by petitioner no.2, Suraj Kumar to the informant as undertaken by the learned counsel for the petitioner through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and the same shall be handed over to the informant after checking the credentials.

10. Let the petitioner no.2, Suraj Kumar be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 137 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner no.2, Suraj Kumar who shall provide official document to show his/her bona fide;

(ii) the petitioner no.2, Suraj Kumar shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail



cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner no.2, Suraj Kumar shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner no.2, Suraj Kumar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no.2, Suraj Kumar shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

11. This Court would like to put on record its word of appreciation for Mrs. Asmita Bharti, learned counsel for the informant for the proper assistance rendered in the matter.

**(Rajiv Roy, J)**

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