

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77018 of 2025

Arising Out of PS. Case No.-69 Year-2022 Thana- PHENHARA District- East Champaran

Ram Parvesh Rai S/o Late Ramkrit Rai Resident of village - Gaibandhi, P.S -
Phenhara, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP
For the Informant	:	Mr. Kundan Rathore, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-11-2025 Heard Mr. Ajay Kumar Singh, learned counsel for the
petitioner; Mr. Kundan Rathore, learned counsel for the
informant and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Phenhara P.S. Case No. 69 of 2022 instituted for the offences
under Sections 147, 148, 149, 341, 323, 379, 307 of the Indian
Penal Code and Section 27 of the Arms Act.

3. Earlier, vide order dated 04.02.2023 passed in Cr.
Misc. No. 75216 of 2022, the petitioner was granted the
privilege of anticipatory bail but the petitioner failed to furnish
the bail bonds within the fixed time frame.

4. Prosecution case, in short, is that the accused
persons, forming an unlawful assembly and armed with



weapons, allegedly stopped the informant and assaulted him with iron rods and *lathis* on the order of co-accused Jitendra Yadav. It is further alleged that when the informant's brother came to rescue, he too was beaten, causing fracture in his hand, and his chain and mobile phone were snatched. It is also alleged that the accused fired in the air to create panic before fleeing.

5. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case due to admitted land dispute between the parties. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is case and counter-case between the parties. The specific allegation is against co-accused Upendra Rai of assaulting the brother of the informant. The injuries attributed towards the petitioner is of simple in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.06.2025 and has one criminal antecedent.

6. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the



petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phenhara P.S. Case No. 69 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on three consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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