

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76429 of 2025

Arising Out of PS. Case No.-170 Year-2025 Thana- WARISNAGAR District- Samastipur

1. Dharmendra Ram Son of Late Naresh Ram R/o Chhatneshwar, P.S - Warisnagar, Dist. - Samastipur.
2. Jitendra Ram @ Jitendra Kumar Son of Late Naresh Ram R/o Chhatneshwar, P.S - Warisnagar, Dist. - Samastipur.
3. Govind Ram @ Govind Kumar Son of Late Naresh Ram R/o Chhatneshwar, P.S - Warisnagar, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025

Heard the parties.

2. The petitioners are apprehending their arrest in connection with Warisnagar P.S. Case No. 170/2025 instituted under Sections 126(2), 115(2), 118(1), 117(2), 303(2) 352, 351(2), 3(5) of the BNS, 2023 lodged on 02.07.2025 by the informant, Deepak Kumar.

3. As per the prosecution story, it has been alleged that on 26.06.2025, while the informant was returning to his home, the FIR named accused/petitioners surrounded him and started demanding extortion money and when he denied, they assaulted him badly by means of iron rod and threw him in the bamboo cluster. It is further alleged that the informant was also deprived



of Rs. 3000/- cash and a gold chain. Accordingly, the FIR

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of false and fabricated allegation and they have not committed any offence as alleged in the FIR. It has next been submitted that all the petitioners are brothers while petitioner no.1 is running his shop to earn his livelihood and other two petitioners are students and pursuing their studies. The allegation of assault is general and omnibus and vague allegations of snatching cash and gold chain has invariably been made against all the accused. The injuries which are said to have been caused, on examination three injuries have been found while injuries no.2 and 3 are simple in nature and injury no.3 is found to be grievous in nature having been sustained on the right leg. Learned counsel for the petitioners submits that the petitioners have got clean antecedent and they are ready to abide by the conditions as imposed by this Court and further undertakes that they would not be committing such offences, as alleged, in future and in case of any subsequent implication of these petitioners in a similarly situated case, the prosecution may be put at liberty to seek cancellation of bail on finding the complaint to be true with substance.



5. Learned APP vehemently opposes the prayer for anticipatory bail stating that the informant has been mercilessly beaten and then thrown in the bamboo cluster treating him dead and this fact is stated in the FIR itself. Though they have clean antecedents.

6. Considering the submission of the parties and the facts that there is general and omnibus allegation against the petitioners and the injuries caused to the informant is simple in nature and the undertakings give by them that in case of any subsequent implication of these petitioners in a similarly situated case, the prosecution will be at liberty to seek cancellation of bail on finding the complaint to be true with substance, this Court is inclined to extend the petitioners the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned Judicial Magistrate- 1st Class, Samastipur subject to the conditions as laid down under Section 482(2) of the BNSS as also subject to the following conditions:-



(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners 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.

(Ajit Kumar, J)

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