

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3512 of 2026

Arising Out of PS. Case No.-422 Year-2025 Thana- TURKAULIYA District- East
Champaran

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Rameshwar Yadav @ Ramashray Rai S/O Late Narayan Rai @ Late Narayan
Yadav Resident of Village- Khagni, P.S- Turkauliya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raushan Kumar
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 28-01-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Turkauliya P.S. Case No. 422 of 2025, F.I.R dated 01.09.2025 registered for the offences punishable under Sections 115(2), 75(2), 109, 303(2), 352, 351(2), 324(4) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, informant Virendra Mahto stated in his *fardbeyan* that on 10.08.2025 about 9:00 P.M. along with his wife they heard screaming of a child adjacent to his house and say that *Arvind Yadav* was beating a child and when *Geeta Devi* raised objection *Arvind Yadav* abused her. Thereafter, the accused persons assaulted the



informant and his wife with *lathi, danda & rod* and also molested *Geeta Devi & Hewati Devi*. One accused/petitioner *Rameshwar Yadav* also snatched gold chain from *Hewati Devi*. Due to beaten with rod on his head informant was injured and sent to Community Health Centre, Turkauliya where upon consideration of serious injury doctor referred to Sadar Hospital.

4. Learned counsel for the petitioner submits that allegation against this petitioner is of snatching the gold, which is ornamental in nature and there is no specific allegation of overt act said to have been mentioned in the First Information Report while with allegation as against co-accused, namely, *Brajesh Kumar* against whom the allegation of outrage of modesty of *Hewati Devi* and also having indulged in assault is said to have been granted privilege of anticipatory bail vide order dated 15.01.2026 passed in Criminal Miscellaneous No. 88828 of 2025 and there is no plausible explanation for 21 days delay.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.



7. Let the petitioner, above named, in the event of his/her 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 Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 422 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) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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