

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4168 of 2026

Arising Out of PS. Case No.-196 Year-2025 Thana- MASHRAK District- Saran

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Birbal Kumar Ram @ Birbal Ram @ Birbal Kumar S/O Kisnath Ram
Resident Of Village- Badaki Semari, Police Station- Mashrakh, District-
Saran at Chhapra Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Learned counsel of the petitioner is permitted to make
necessary corrections in paragraph-1 of the bail application.

2. Heard Mr. Rajiv Ranjan Kumar Pandey, learned
counsel for the petitioner and Dr. Mrityunjaya Kr.Gautam, learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection
with Masrakh P.S. Case No. 196 of 2025, F.I.R. dated 08.05.2025
for the offences punishable under Sections 126(2), 115(2), 118(1),
109(1), 74, 303(2), 352, 351(2)(3) & 3(5) of BNS.

4. Allegation against the petitioner is that he along with
other co-accused persons came to informant's house and hit two
slaps to her mother-in-law and when the informant objected, the
accused persons, on point of pistol, took her to one room and
snatched her ear ring and chain and also tried to outrage her
modesty and on protest, the accused persons assaulted the



informant on head and took Rs.50,000/- from the house.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the FIR that there is no specific allegation of assault or overt act against the petitioner and he has made accused merely on the basis that petitioner belongs to same village. Although some of the persons received injury but the injury inflicted upon the injured persons is simple in nature.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent and there is no specific allegation of assault or overt act against him and injury inflicted upon the injured persons is simple in nature, let the petitioner, above named, in the event of 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 Additional Sessions Judge, Buxar in connection with Masrakh P.S. Case No. 196 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. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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