

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3210 of 2026

Arising Out of PS. Case No.-149 Year-2025 Thana- NAUTAN District- Siwan

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1. Kamlesh Ram S/o Gulab Ram R/o Village - Baluwa, P.S - Nautan, District - Siwan
 2. Parmatma Ram S/o Gulab Ram R/o Village - Baluwa, P.S - Nautan, District - Siwan
 3. Reema Bharti @ Reema Devi W/o Parmatma Ram R/o Village - Baluwa, P.S - Nautan, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. As both the bail applications arise out of the same police station case number, and with the consent of the parties, they are being heard together and disposed of by this common order.

3. At the outset, learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to petitioner No.2.

4. Permission is accordingly granted.

5. Considering the aforesaid submissions, the



anticipatory bail application with respect to petitioner No.2 stands dismissed as withdrawn and the petitioner is directed to surrender before the Trial Court within a period of four weeks from today and it is expected that on surrender, his regular bail application will be heard on merits.

6. Now, the anticipatory bail application with respect to petitioner Nos. 1 and 3 is being considered.

7. The petitioners are apprehending their arrest in connection with Nautun P.S. Case No.149 of 2025, F.I.R dated 24.06.2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 74, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

8. According to prosecution case, on 20.06.2025 at about 4:00 P.M., the informant was at her house when several co-villagers, namely Parmatma Ram, Dwarika Ram, Kamlesh Ram, Reema Devi, Rajmatiya Devi, Shanti Devi, Sona Devi, Chandi Devi, Kavita Kumari, Babita Kumari, and Punam Devi, allegedly arrived armed with deadly weapons and began demolishing her hut. When the informant and her family members tried to stop them, the accused persons assaulted them. Parmatma Ram allegedly attacked the informant's mother-in-law, Suganti Devi, on the head with a Farsa. Other accused



persons assaulted the victims with lathis. When the informant attempted to rescue her mother-in-law, she was also beaten. Additional family members who came to help were similarly assaulted, and one of them was struck on the head with a Farsa. It is further alleged that the accused snatched gold chains from the informant and Leelawati Devi and looted household articles. The injured persons were later admitted to the hospital for treatment.

9. Learned counsel for the petitioners by referring to the contents in the F.I.R., submits that the allegations of overt act leading to death of mother-in-law of the informant is against petitioner No.2, who has already withdraw his anticipatory bail application and with regard to petitioner Nos.1 and 3, the injury report, which suggests that the injury is simple in nature and does not support the allegations levelled against them and therefore, the privilege of anticipatory bail may be extended.

10. Learned counsel for the informant and learned APP for the State vehemently opposes the prayer for anticipatory bail application and learned counsel for the informant has categorically stated that there has been death is caused pursuant to the injuries received by the mother-in-law of the informant.

11. Considering the aforesaid facts and circumstances



that the overt act leading to death of the mother-in-law of the informant is against petitioner No.2, who has already withdraw his anticipatory bail application and the injuries being caused to the family members of the informant by petitioner Nos.1 and 3 are simple in nature and there is no specific allegation levelled against petitioner Nos.1 and 3 rather the allegations are general and omnibus in nature. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

12. Let petitioner Nos.1 and 3, above named, in the event of their 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 J.M., Siwan, in connection with Nautun P.S. Case No.149 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/known of the petitioner(s) who shall provide official document/personal affidavit 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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