

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6328 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- EKMA District- Saran

1. Om Babu Sah @ Om Babu Kumar S/o Dhruv Sah R/o Village - Parsa Garh Bazar, P.S. - Ekma, District - Saran
2. Ram Babu Sah @ Jitendra Sah S/o Dhruv Sah R/o Village - Parsa Garh Bazar, P.S. - Ekma, District - Saran
3. Lavkush Sah @ Lavkush Kumar S/o Lalan Sah R/o Village - Parsa Garh Bazar, P.S. - Ekma, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Ekma P.S. Case No. 338 of 2025 registered for the offences under Sections 126(2), 115(2), 118(1), 109 and 3(5) of the B.N.S.

3. As per the prosecution story, the allegation against the petitioners is that they along with others brutally assaulted the informant. It is specifically alleged that petitioner no. 2, namely, Ram Babu Sah @ Jitendra Sah assaulted the informant with a *kulhadi*, causing head injury.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case and that



no such occurrence as alleged has occurred. It is further submitted that from perusal of the F.I.R., it would be evident that the injury sustained by the informant was found to be simple in nature caused by a hard and blunt substance. However, the allegation made in the F.I.R. does not corroborate with the nature of injuries sustained by the informant. It is lastly been submitted that the petitioners carry clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Ekma P.S. Case No. 338 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.



(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application stands allowed of.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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