

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13126 of 2026

Arising Out of PS. Case No.-555 Year-2023 Thana- KESARIA District- East Champaran

1. RAMESH KUMAR @ RAMESH RAM S/o- Late Ramswaroop Ram R/v- Fultakiya Ps- Kesariya Dist- East Champaran
2. Munna Ram @ Munna Kumar S/o- Ramesh Ram R/v- Fultakiya Ps- Kesariya Dist- East Champaran
3. Sheela Devi W/o- Ramesh Ram R/v- Fultakiya Ps- Kesariya Dist- East Champaran
4. Manu Ram @ Manu Kumar S/o- Ramesh Ram R/v- Fultakiya Ps- Kesariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 24-06-2026 Heard Mr. Manjeet Kumar Mishra, learned Counsel
for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kesariya P.S. Case No. 555 of 2023 for the offence registered under sections 341, 323, 324, 307, 504, 506/34 of the IPC.

3. As per the prosecution story, the informant alleged that as the Kesariya Police Station's police vehicle passed through the road, people started running and when the informant came out, found that the accused persons who are indulged in



sale/purchase of liquor, armed variously assaulted his family members and in the process, Sheela Devi and Ramesh Ram injured his mother who had to move to Sadar Hospital, Motihari for treatment. This led to the FIR.

4. Learned Counsel for the petitioners submit that omnibus allegation has been made and though allegation is against Ramesh Ram and Sheela Devi, no injury of the mother of the informant is on record. Further, so far as other injured are concerned, injury has been found to be simple in nature.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 2,000/- each (totaling Rs. 8,000/-) through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that petitioner no. 2 Munna Ram also has criminal antecedent under Excise Act.



7. Considering the submissions of the parties aforesaid as also that the injury of the mother of the informant is not on record while other injuries have been found to be simple in nature. In that background, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 2,000/- each (totaling Rs. 8,000/-) as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

8. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Kesariya P.S. Case No. 555 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *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 his bail bond by the Trial court itself;

(iii) 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;

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

(Rajiv Roy, J)

Vijay Singh/-

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