

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25813 of 2026

Arising Out of PS. Case No.-134 Year-2025 Thana- Balwahat District- Saharsa

Ramvachan Mehta S/o Chhotelal Mehta R/o Village Gowardhanpur, Ward
No. 12, P.S. - Balwahat, Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Adv

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Balwahat P.S. Case No. 134 of 2025 for the offence punishable under sections 126(2), 115(2), 117(2), 109(1), 352, 3(5) of the BNS lodged on 08.09.2025 by the informant.

3. As per the prosecution case, the informant, Gariblal Mehta has stated that on 05.09.2025 at about 6:00 PM in the evening all the FIR named accused persons armed with weapon came to his door, tried to unfastened his cattle and when the informant forbade, then the petitioner assaulted on the head of informant by iron rod, as the result of which he became injured and fell down and when his son, Abodh Kumar came to save him, then the petitioner also inflicted iron rod on the head



and leg, as the result of which, his leg was fractured. It is further alleged that when the wife and daughter-in-law came and tried to rescue the informant and his son then Kanchan Devi assaulted the wife of informant by the means of *Dabiya* as the result of which hand of the informant's wife got fractured. It is also alleged that Chhotelal Mehta, Bauki Devi, Kundan Devi badly injured informant's daughter-in-law namely Nutan Devi. On alarms, the villagers came and got them admitted in the hospital. Accordingly, the FIR.

4. Learned counsel for the petitioners submits the injury which has been sustained by the informant is found to be simple in nature while his son, who has sustained injuries, are said to be grievous but that is on leg which is not a vital part. It has further been submitted that there is a case and counter case between the parties and the petitioner of this case has filed Balwahat P.S. Case No. 134 of 2025 against the informant and others. The petitioner is also said to have received injuries over his person.

5. Learned APP opposes the prayer for anticipatory bail by submitting that since the injuries have been caused to the informant and his son and the petitioner has got criminal antecedent of similar nature, the petitioner does not deserve the



privilege of anticipatory bail.

6. Considering the nature of injury being simple in nature and on non vital part and there is a case and counter case between the parties, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned **Chief Judicial Magistrate, Saharsa** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the 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/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 his/their bail
bonds.*

(Ajit Kumar, J)

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