

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35163 of 2026

Arising Out of PS. Case No.-109 Year-2024 Thana- DEV District- Aurangabad

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Ajay Ram Son of Late Ramadhar Ram Resident of Village- Budhan Bigha,
P.S.- Dev, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupa Kumari, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner apprehends his arrest in connection with Deo P.S. Case No. 109 of 2024 dated on 04.05.2024 registered for the offences punishable under Sections 147, 149, 323, 341, 325, 436 of IPC.

3. As per the FIR, the accused persons allegedly surrounded the informant's house at Budhan Bigha, vandalized it and set it on fire. It is alleged that they also pelted stones and bricks, causing fracture injury to the informant, his wife and daughter. The entire household property was allegedly burnt to ashes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case and both the parties are full brothers. Learned counsel for the petitioner further submits that the allegations are general omnibus in nature against this petitioner. The informant of this case is younger brother of the petitioner and due to his bad temperament, the mother resides with the petitioner which infuriated him and the informant also wants partition of the property which is the main cause of bone of contention between them. It has next been submitted that similarly placed co-accused, namely, Dhananjay Ram has already been extended privilege of anticipatory bail *vide* Cr. Misc. No. 26773 of 2025 by the Co-ordinate Bench on 03.09.2025. It is fairly submitted that the petitioner has got five criminal antecedents but he is on bail in all those cases and out of all these five cases, two cases are filed by the same informant.

5. On the other hand, the learned APP for the State has opposed the prayer for anticipatory bail of the petitioner submitting the he seems to be a habitual offender as he has got five antecedents under his belt.

6. Considering the nature of dispute which purely relates to the partition amongst the brothers and a similarly situated co-accused, as stated above, has already been granted anticipatory bail by the Co-ordinate Bench, this Court is inclined to extend him the privilege of anticipatory bail.



7. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad, Bihar in connection with Deo P.S. Case No. 109 of 2024, 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/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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