

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36705 of 2026

Arising Out of PS. Case No.-173 Year-2024 Thana- RAGHOPUR District- Vaishali

Rama Kumar S/O - Tilakdhari Sahni R/O Mohalla - Nurudiganj, P.S -
Maalsalami,Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. S.K. Lal, Sr. Advocate
Mr.Pramod Kumar, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Raghopur P.S. Case No. 173 of 2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 302, 504, 506 & 120B Indian Penal Code.

3. The allegation against the petitioner is to assault the son of the informant alongwith six named and six unknown co-accused persons, where dispute surfaced due to fishing issue in the river Ganga.

4. Mr. S.K. Lal, learned senior counsel appearing on behalf of the petitioner submitted that upon post-mortem only single head injury was found upon the deceased and, therefore,



the allegation that the deceased was assaulted indiscriminately by 13-15 persons during the course of occurrence creates a doubt *qua* raised allegation by informant, who is the eye witness.

5. It is further submitted by Mr. Lal that considering the aforesaid aspect, similarly situated co-accused persons namely, Dharmendra Kumar through Cr. Misc. No. 36493 of 2025 dated 18.07.2025 and Simal Kumar @ Jigal Sahni through Cr. Misc. No. 2061 of 2025 dated 15.05.2025 have been granted privilege of anticipatory bail by one of the learned coordinate Bench of this Court and, therefore, on the ground of parity petitioner also deserves anticipatory bail.

6. Explaining criminal antecedent of the petitioner, Mr. Lal submitted that petitioner found involved in three more criminal cases of petty nature related with excise, in which he is on bail.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. In view of the aforesaid factual submissions and by taking note of the fact as the post-mortem report of the deceased *prima facie* creates a doubt *qua* allegation of indiscriminate assault, as alleged by the informant, who claimed to be an eye



witness of the occurrence, coupled with the fact that similarly situated co-accused persons have been also granted anticipatory bail by one of the learned coordinate Bench of this Court, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur/concerned court in connection with Raghopur P.S. Case No. 173 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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