

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42106 of 2026

Arising Out of PS. Case No.-134 Year-2019 Thana- KAMTAUL District- Darbhanga

Ram Hirday Ray S/o Late Ram Ekbal Ray R/o Village - Ahiyari Goat, P.S -
Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Adv.
For the Opposite Party/s : Mr.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kamtaul P.S. Case No. 134 of 2019 dated 06.09.2019 registered for the offence punishable under Section/s 341, 323, 353, 379, 427, 504, 34 of the I.P.C.

3. As per the prosecution case, the allegation against the petitioner is that he abused and assaulted the informant, snatched her gold chain, and took away official government documents, including the selection list and the documents of 65 beneficiaries under the Pradhan Mantri Aawas Priority List.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. rather for the personal grudge and enmity, the instant case is said to have been registered by the Informant. It



is further submitted that there is nothing specific against the petitioner. It is the petitioner's case that the informant was demanding Rs. 10,000/- from each beneficiary for including their names in the list of beneficiaries under the Pradhan Mantri Awas Scheme. The petitioner opposed this demand, and, as a result, the present case has allegedly been instituted against him to satisfy the informant's illegal demands. It is the case of the petitioner that the petitioner was given the benefit of privilege under Section 41(1) of the Cr.P.C. and during investigation, he never misused the privilege granted under Section 41(1) of the Cr.P.C. Lastly, it is submitted that the petitioner bears on criminal antecedent in which he is on bail.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that there is nothing specific against the petitioner and the fact that the petitioner has never misused the privilege granted under Section 41(1) of the Cr.P.C. during investigation, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the 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 learned Chief Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 134 of 2019, subject to the condition as laid down under Section 482(2) of the B.N.S.S. 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 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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