IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40412 of 2026

CNR No. BRHC010574122026

Arising Out of PS. Case No.-517 Year-2024 Thana- MIRGANJ District- Gopalganj

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Subash Ram S/O Ramdash Ram Residennt of Ahirauli, P.S- Mirganj, Distt.- Gopalganj.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nilesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

8 04-11-2026 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Mirganj P.S. Case No. 517 of 2024, instituted for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115, 117, 109, 127(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on 06.11.2024, the informant’s nephew was allegedly assaulted by the accused persons with lathis and sticks while returning from Hathua Bazar. It is further alleged that the accused persons assaulted the informant and others when they were taking the injured to hospital, during which co-accsued Laddu Ram

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repeatedly assaulted Salik Sah, who subsequently went into a coma.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case under Sections 191(2), 191(3), 190, 126(2), 115, 117, 109, 103, 127(2) and 352 of the Bharatiya Nyaya Sanhita, 2023. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case during investigation. It is next submitted that the petitioner has not committed any such offence as alleged against him, rather main allegation of repeated assault upon the deceased is against co-accused, namely, Laddu Ram. It is further submitted that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 18.03.2026 and has got two criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody

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undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on ***after framing of charge, if not already framed,*** furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mirganj P.S. Case No. 517 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

8. The learned Court below is directed to take expeditious steps for framing of charge against the petitioner and expedite the trial.

(Rudra Prakash Mishra, J)

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