

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53982 of 2025**

Arising Out of PS. Case No.-244 Year-2013 Thana- GHORASAHAN District- East  
Champaran

- 
1. Raju Kumar @ Dhirendra Kumar S/O Ram Nivas Prasad R/O Village-  
Chanari, PS- Jitna, District- East Champaran, Motihari
  2. Amrenda Kumar @ Guddu S/O Late Ram Kripal Prasad R/O Village-  
Chanari, PS- Jitna, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 56667 of 2025**

Arising Out of PS. Case No.-244 Year-2013 Thana- GHORASAHAN District- East  
Champaran

- 
1. Ramnivash Prasad S/O Late Jawahar Prasad R/O Vill.- Chanari, P.S.- Jitna,  
District- East Champaran, Motihari
  2. Sudhakar Prasad S/O Ram Kripal Prasad R/O Vill.- Chanari, P.S.- Jitna,  
District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 53982 of 2025)

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Parmanand Kumar

(In CRIMINAL MISCELLANEOUS No. 56667 of 2025)

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      06-04-2026      1. Heard the parties.

2. Since both these applications arise out of the same

F.I.R., as such, both are taken up together and are being



disposed of by this common order.

3. The petitioners apprehend their arrest in connection with Ghorasahan (Jitna) P.S. Case No. 244 / 2013 dated 03.07.2013 registered under section 341 / 447 / 323 / 324 / 307 / 379 / 504 / 34 of the I.P.C.

4. As per the prosecution case on 13.06.2013 at about 10:30 hours the informant reached at his home where quarrel took place between the family members and started scolding his family members, in the meantime, the co-accused / Ram Niwas Prasad (petitioner no. 1 in Cr. Misc. No. 56667 / 2025) armed with 'Farsa' came there and assaulted on his head due to which he sustained head injury. The co-accused / Sudhakar Kumar (petitioner no. 2 in Cr. Misc. 56667 / 2025) gave a blow of 'Bhala' due to which he sustained injury on this hand. The petitioner no. 1 in Cr. Misc. No. 53982 / 2025 was waiving Nalkatwa and the petitioner no. 2 - Amrendra Kumar @ Guddu of Cr. Misc. No. 53982 / 2025 assaulted him with 'Lathi' due to which he sustained injury on his right shoulder and head and he also took out Rs. 1,000/- from the pocket of the informant.

5. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence in the manner alleged. During course of investigation, the



petitioners were not sent up for trial by the Police and the Police submitted Charge- Sheet No. 35 / 2013 on 31.12.2013. The learned court below took cognizance against the petitioners on 18.11.2014 under section 341, 323, 324, 307 & 504 / 34 of the I.P.C. Taking plea of alibi, learned counsel submits that the petitioners were not present at the place of occurrence. The petitioners are having no criminal antecedent.

6. I have heard learned counsel for the petitioner and perused the materials on record.

7. After 12 years of the order taking cognizance the petitioners have come for anticipatory bail. A Co-ordinate Bench of this Court had granted time to the petitioners on 29.08.2025 to file supplementary affidavit bringing on record the order- sheet of the learned court below explaining the delay of 11 years in moving for anticipatory bail but learned counsel for the petitioners has not given any cogent reason and submits that since final form was submitted by the police in 2013 exonerating the petitioners from charges and not sending them for trial and the learned Magistrate differed with the final form in the year 2014, the petitioners were under impression that the case has come to an end.

8. Considering the fact that petitioners have moved before



this Court after lapse of about 11 / 12 years of the order taking cognizance for grant of anticipatory bail and no reason has been assigned for delay, accordingly, I am not inclined to grant anticipatory bail to the petitioner nos. 1 & 2 namely, Raju Kumar @ Dhirendra Kumar & Amrenda Kumar @ Guddu in Cr. Misc. No. 53982 / 2025 and the petitioner no. 2- Sudhakar Prasad in Cr. Misc. No. 56667 / 2025. The same rejected.

9. Insofar as prayer for anticipatory bail of the petitioner no. 1 in Cr. Misc. No. 56667 / 2025 is concerned, learned counsel submits that petitioner no. 1 is of advance age of 80 years and he has been suffering from paralysis.

10. Considering the medical condition and advance age of the petitioner no. 1 - Ramnivash Prasad, I am inclined to grant anticipatory bail to the petitioner no. 1 in Cr. Misc. 56667 / 2025.

11. Let the petitioner no. 1 (Ramnivash Prasad) in Cr. Misc. No. 56667 of 2025 be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four 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 S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Ghorasahan (Jitna) P.S.



Case No. 244 / 2013 subject to the condition as laid down under  
Section 482 (2) of the B.N.S.S.

**(Anil Kumar Sinha, J)**

praful/-

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