IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67072 of 2026

CNR No. BRHC010973472026

Arising Out of PS. Case No.-284 Year-2026 Thana- KOTWA District- East Champaran

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Rameshwar Sah Son of Late Baburam Sah Resident of village - Sihorwa, P.S.- Kotwa, District - East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 05-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kotwa P.S. Case No.284 of 2026, F.I.R dated 13.07.2026 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 132, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, that while the informant was performing official duties in his office, the accused persons, including the absconding accused in Kotwa P.S. Case No.283 of 2026, along with 2–3 unknown persons, forcibly entered the police station premises and his office room despite being restrained by the O.D. Officer. They allegedly

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abused the informant, scattered official documents, obstructed government work and created a ruckus. It is further alleged that accused Rameshwar Sah attempted to strangulate the informant with the intention to kill him, while the other accused persons assaulted him, broke the buttons of his uniform and tore off his nameplate.

4. Learned counsel for the petitioner by referring to the allegations made in the first information report submits that the nature of the injuries sustained by the informant does not corroborate the allegation levelled against the petitioner and that the injuries are said to be simple in nature. It has next been submitted that altogether ten persons have been made accused, out of whom seven persons, for the similar allegations, have already been extended the privilege of anticipatory bail by the Coordinate Bench of this Court vide order dated 19.09.2026 passed in Cr. Misc. No. 66094 of 2026. Lastly, it has been submitted that the petitioner has two criminal antecedents, out of which he is on bail in one case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances and taking into account the fact that the injuries caused by the

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petitioner do not corroborate the allegations made, as well as the fact that seven co-accused persons for the similar allegations have already been extended the privilege of anticipatory bail, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, East Champaran, Motihari in connection with aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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

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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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