

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78371 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- NAUBATPUR District- Patna

1. Sanket Kumar S/O Ramesh Kumar @ Ramesh Paswan @ Rameshi Paswan @ Samesh R/O Village- Khajuri, P.S- Naubatpur, Distt.- Patna, Bihar.
2. Lilawati Devi W/O Ramesh Kumar @ Ramesh Paswan @ Rameshi Paswan @ Samesh R/O Village- Khajuri, P.S- Naubatpur, Distt.- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Raghvendra Kumar, learned counsel for the petitioners and Mr. Jai Narain Thakur, learned Additional Public Prosecutor for the State.

2. The petitioners seek bail, who are in custody since 21.07.2025 in connection with Naubatpur P.S. Case No. 34 of 2025, F.I.R. dated 13.01.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 3(5) of the B.N.S., 2023 but the Police has submitted chargesheet under sections 126(2), 115(2), 103(1), 352, 3(5) of the BNS, 2023.

3. According to prosecution case, petitioners and other co-accused persons are alleged to have assaulted the husband of the informant and her son. The specific allegation of assault is



upon co-accused Rameshi Paswan who assaulted the informant's husband with iron rod on his head due to which he died.

4. Learned counsel for the petitioners submit that petitioners have clean antecedent and they have falsely been implicated in the present case. From bare perusal of the FIR, it appears that the specific allegation of assault is attributed against co-accused, namely, Rameshi Paswan who happens to be father of petitioner no. 1 and husband of petitioner no. 2. Although, the petitioners are named in the FIR, but there is no specific allegation of assault or overt act against the petitioners and the petitioners have been made accused in the present case merely on the ground that the petitioners are family members of co-accused, namely, Rameshi Paswan and the said Rameshi Paswan is in judicial custody. The police after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 21.07.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent, there is no specific allegation of assault or overt act attributed against



the petitioners and the specific allegation of assault is attributed against co-accused Rameshi Paswan who happens to be family member of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VI, Danapur in connection with Naubatpur P.S. Case No. 34 of 2025, with the following conditions:

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

Ranjeet/-

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