IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77614 of 2026

CNR No. BRHC011087742026

Arising Out of PS. Case No.-396 Year-2026 Thana- BAIKUNTHPUR District- Gopalganj

==========

Ram Milan Sah S/o Late Awadh Sah Resident of Village - Mathiya, P.S - Baikunthpur, District - Gopalganj

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

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

==========

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-11-2026 Heard the learned counsel for the petitioner and learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Baikunthpur P.S. Case No. 396 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 118(1), 109(1), 352, 351(2), 3(5), 303(2) of the B.N.S., 2023.

3. As per the prosecution, the informant has alleged that the petitioner and others have brutally assaulted the informant, her daughter and niece and have also snatched away a certain amount.

4. The learned counsel for the petitioner submits that the petitioner and others have falsely been implicated in this

WEB COPY

case and no such incident as alleged has occurred. It has also been pointed out that even if the allegations are taken on their face value, the injuries referred to in the impugned order which is stated to have been inflicted by the petitioner upon Kamlawati Devi were found to be simple in nature caused by hard and blunt substance. It has also been pointed out that the entire family of the petitioner has been implicated in this case with an exaggerated story and no such incident as alleged has occurred. It has lastly been submitted that the petitioner has clean antecedents and he is in custody since 13.08.2026.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Having heard the learned counsel for the parties and considering the fact that the injuries sustained by the person upon whom the petitioner had assaulted were found to be simple in nature caused by hard and blunt substance, let the petitioner, above named, 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 court below where the case is pending/successor court in connection Baikunthpur P.S. Case No. 396 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his

WEB COPY

close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

aditya/-

U		T	

WEB COPY