

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4320 of 2026

Arising Out of PS. Case No.-271 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Babulal Ram S/o Sheo Dhar Ram R/o Village- Mahna, P.S.- Bhagwanpur Hat, District- Siwan
2. Raj Kumar Ram S/o Chetaru Ram R/o Vill- Karchauliya, P.S.- Panapur, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Krishna Kant Singh, learned counsel for the petitioners and Mr. Dr. Mrityunjaya Kr. Gautam, learned APP for the State.

2. Learned counsel for the petitioners submits that during the pendency of this bail application, petitioner no. 2 has been arrested. Hence, the anticipatory bail application with respect to petitioner no. 2 has become infructuous. So, he seeks permission to withdraw the present bail petition with respect to petitioner no. 2.

3. Permission is accorded.

4. Accordingly, the present bail petition stands dismissed as withdrawn with respect to petitioner no. 2.

5. The petitioner no. 1 is apprehending his arrest in connection with Bhagwanpur Hat P.S. Case No. 271 of 2025,



F.I.R. dated 16.06.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109,, 303(2), 352, 351(2), 3(5) of the BNS and subsequently added Section 103(1) of the BNS.

6. As per F.I.R., 13 named accused persons, including these petitioners and 4-5 unknown persons, assaulted husband and son of the informant with lathi and danda. During course of treatment, son of the informant died.

7. Learned counsel for the petitioner submits that the petitioner has clean antecedent and the allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the F.I.R., that there is no specific allegation of assault against the petitioner and similarly situated co-accused persons, namely, Rajmati Devi & Others and Ashok Ram & Others have already been granted anticipatory bail by a coordinate Bench of this Court passed in Cr. Misc. No. 81117 of 2025 and Cr. Misc. No. 88432 of 2025. vide order dated 10.12.2025 and 15.01.2026 respectively. Petitioner no. 1 has no criminal antecedent.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner no. 1.

9. Considering the aforesaid facts and circumstances



that petitioner has clean antecedent as well as similarly situated co-accused have already been granted anticipatory bail, let the petitioner no. 1, above named, in the event of his 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 C.J.M., Siwan in connection with Bhagwanpur Hat P.S. Case No. 271 of 2025, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 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.

(Rajesh Kumar Verma, J)

khushbu/-

U			
---	--	--	--

