

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7703 of 2025

Arising Out of PS. Case No.-498 Year-2024 Thana- PAKARIBARAW District- Nawada

1. Sholu Kumar @ Solu Kumar Son of Hare Ram Singh Resident of Village- Lilo, P.S.- Pakaribarawan, Distt.- Nawada
2. Dinesh Singh Son of Late Raksha Singh Resident of Village- Lilo, P.S.- Pakaribarawan, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Pakribarawan P.S. Case No. 498 of 2024 instituted for the offence under Sections 126(2), 115(2), 351(2), 352, 109, 324 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, allegation against the petitioners is of assaulting the informant on his head by means of *khanti*, due to which he sustained injury.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 24-11-2024. Petitioners bear one criminal antecedent each, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Learned counsel submits that from perusal of the FIR itself, it is evident that both parties are next door neighbour and there is land dispute between them and the instant occurrence took place due to earlier enmity and supply of water of '*Nal-Jal Yojna*'. Learned counsel next submits that though it is alleged that petitioners have assaulted the informant by means of *khanti*, but the injury report does not corroborate with the allegation attributed upon them, as the same is found to be simple in nature. It is lastly submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, nature of accusation and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Court below/concerned Court in connection with
Pakribarawan P.S. Case No. 498 of 2024, subject to the
following conditions:

(I) One of the bailors shall be own/close member of the
family of the petitioners.

(II) The petitioners shall appear on each and every date
fixed at the trial. In case of default in such appearance on
two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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