

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8291 of 2025

Arising Out of PS. Case No.-25 Year-2024 Thana- LUTUA District- Gaya

1. Mahendra Bhuiyan Son of Mangar Bhuiyan Resident of Village - Lutua, Tola - Narayandih, P.S. - Lutua, District - Gaya (Bihar)
2. Sikandar Bhuiyan Son of Mahendra Bhuiyan Resident of Village - Lutua, Tola - Narayandih, P.S. - Lutua, District - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar
For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-02-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Lutua P.S. Case No. 25 of 2024 instituted for the offence under Sections 126(2), 127(2), 115, 109, 74, 76, 303(2), 352, 351(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that informant and others were assaulted by the co-accused persons including the petitioner by means of iron rod.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 02-10-2024. Petitioners bears no criminal antecedent, 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 for the petitioners submits that, admittedly, there is land dispute between the parties, which is evident from perusal of the FIR itself. No incriminating article has been recovered from the possession of the petitioners. There is case and counter case between the parties. So far as injury is concerned, altogether four persons sustained injury, out of which injury of two persons is found to be simple in nature, whereas opinion is reserved for the rest of two persons. Learned counsel next submit that so far as allegation of outraging the modesty is concerned, the same is ornamental in nature. It is lastly submitted that charge sheet has been submitted 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, injury being found simple in nature 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 Lutua P.S. Case No. 25 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

