

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6866 of 2025

Arising Out of PS. Case No.-143 Year-2024 Thana- HAYAGHAT District- Darbhanga

1. Shambhu Das S/O Shankar Das R/O Vill.- Dhobopur, Bansara, P.S- Hayaghat, Dist- Darbhanga.
2. Sikinder Das @ Sikendar Das S/O Late Baleshwar Das R/O Vill.- Dhobopur, Bansara, P.S- Hayaghat, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 126 (2) , 115 (2), 109, 352, 3(5) of BNS 2023 .

3 . As per F.I.R., on the alleged date and time of occurrence , all the accused persons including these petitioners assaulted on the head of informant with iron rod.

4. It is submitted on behalf of the petitioners that both parties are agnates and due to land dispute a simple occurrence of maarpeet took place between them in which both sides sustained injury . Allegation of assault is general and omnibus.



F.I.R., has been lodged after delay of 4 days for which there is no plausible explanation which itself creates doubt over the entire prosecution case .

5 . Learned counsel for the State oppose the bail petition .

6 Considering the delay in lodging the F.I.R., and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged 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 Additional Chief Judicial Magistrate Darbhanga in connection with Hayaghat P.S. Case No. 143 of 2024 , subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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