

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15526 of 2025

Arising Out of PS. Case No.-675 Year-2024 Thana- AMARPUR District- Banka

1. Gudiya Devi @ Guriya Devi W/o- Gopi Mandal Resident Of Village- Baja, Ps- Amarpur, Dist- Banka
2. Gopi Mandal S/o- Sundar Mandal Resident Of Village- Baja, Ps- Amarpur, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-05-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Amarpur P.S. Case No. 675 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 74, 110, 352, 351(2), 3(5) of BNS, 2023.

3. Allegedly, while the informant was instilling pillars on her land, in the meanwhile, all the FIR named accused persons, including the petitioners, armed with *lathi*, *danda* started abusing and assaulting the informant. On alarm being raised, when the son of the informant came to rescue of the informant, he was also assaulted by petitioner no. 2. There is omnibus allegation against the petitioner no. 1 and others of



causing assault.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that it has not been disclosed by which weapon the petitioner no. 2 has assaulted the son of the informant. The non disclosure of the nature of the injury in the impugned order also suggests that the injured has not sustained any injuries. Had any of the persons sustained serious injury, it would have been definitely disclosed in the impugned order. There is counter version of the present case being Amarpur P.S. Case No. 676 of 2024 in which the petitioners side also sustained injury. In fact, on account of a free fight between the parties, injury has sustained to the persons of both the sides, who are close relatives. The petitioners are persons of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the son of the informant also sustained three injuries over his head.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and counter case, coupled with the fair antecedent and the genesis of the occurrence, let the petitioners abovenamed be released on



bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 675 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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