

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18265 of 2025

Arising Out of PS. Case No.-234 Year-2020 Thana- KESARIA District- East Champaran

- 1 . Vivek Kumar Gupta @ Muntun @ Vivekanand Kumar@Vivek Kumar@Muntun Kumar@Vivik Kumar@Vivik Kumar Gupta S/O Sharmanand Sah Resident of Village- West Khijirpura, P.S.- Kesariya, District- East Champaran
2. Tuntun Kumar Sah @ Tuntun Kumar S/O Sharmanand Sah Resident of Village- West Khijirpura, P.S.- Kesariya, District- East Champaran
- 3 . Rajguru Kumar @ Aaditya Ranjan S/O Sharmanand Sah Resident of Village- West Khijirpura, P.S.- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar , Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2025 At the outset, learned counsel for the petitioners seek permission to withdraw the pre-arrest bail petition of petitioner No. 2.

2. Permission is accorded.

3 . This bail petition of petitioner No. 2 is dismissed as withdrawn .

4. Heard learned counsel for the petitioner Nos. 1 and 3 and the State .

5 . Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 324, 325 , 307, 379, 504, 506 and 34 of the Indian Penal Code .



6. As per F.I.R., informant namely Raja Kumar alleged that on 08.06.2020 at about 7:30 PM , while his aunt Mina devi and Lalita devi were returning after attending nature 's call, in the meantime , petitioner No. 1 Vivek Kumar along with other co-accused person misbehaved with his aunt and outraged her modesty and assaulted informant with iron rod due to which informant sustained injuries. It is further alleged that co-accused Tuntun Kumar Sah and petitioner No. 3 along with other co-accused persons assaulted informant his family members and snatched gold chain form neck of informant.

7. It is submitted on behalf of the petitioners that due to dispute regarding land, a scuffle took place between both the parties. Allegation is general and omnibus against petitioner No. 3 . Injuries caused by petitioner No. 1 is simple in nature . Rest of the allegations are ornamental in nature against these petitioners.

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

9. Considering the nature of injury and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner Nos. 1 and 3 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 Chief Judicial Magistrate East Champaran Motihari in connection with Kesariya P.S. Case No. 234 of 2020 subject to the conditions laid down under section 438 (2) of Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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