

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16884 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- TARARI District- Bhojpur

1. Sunil Ram S/O Late Dukhan Ram R/O vill - Badkagaon, P.S. -Tarari, Distt. -Bhojpur
2. Chandra Shekhar Kumar S/O Late Dukhan Ram R/O vill - Badkagaon, P.S. -Tarari, Distt. -Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Tarari P.S. Case No. 06 of 2025 instituted for the offences under Sections 127(2), 115(2), 74, 109, 352 of the B.N.S.

3. As per prosecution case, on 10.01.2025, when the Informant had gone to attend the call of nature, it is alleged that the petitioner/Sunil Ram tried to tease her and pulled her veil. On return, the Informant informed her husband about the same. It is alleged that when he went to the petitioner/Sunil Ram to confront, both the petitioners abused him and also assaulted him on his head. It is alleged that the petitioner/Sunil Ram assaulted



on the head of the Informant by means of *Karni* due to which he sustained severe head injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them in the F.I.R. and have falsely been implicated in the present case due to old familiar dispute. He further submits that the date of occurrence is 10.01.2025 at about 6.30 PM but, the matter was reported to the police on 11.01.2025 at about 13.30 i.e. after about 20 hours that too without there being any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. There is no independent witness to the alleged occurrence rather the same are interested witnesses and, except this, there is nothing against the petitioners. He further submits that the injury sustained by the injured is simple in nature. The petitioners have no criminal antecedent and are languishing in judicial custody since 12.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. He further submits that there is specific allegation against the petitioner no.1 Sunil Ram of



assaulting the Informant's husband on his head by means of *Karni*.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner no.2 and there being no specific or direct allegation of assault against the petitioner no.2 as also he having no criminal antecedent, let the petitioner no.2, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tarari P.S. Case No. 06 of 2025.

7. However, there being direct and specific allegation of assault against the petitioner no.1 namely Sunil Ram on the head of the Informant's husband by means of *Karni*, this Court is not inclined to grant bail to him.

8. Accordingly, the prayer for bail of the petitioner no.1 namely Sunil Ram is hereby rejected.

(Rudra Prakash Mishra, J)

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