

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25220 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- CHAUSA District- Madhepura

1. Bibhash Singh @ Vibhash Singh S/o Bhuneshwar Singh
2. Rajesh Singh S/o Bhuneshwar Singh
3. Lalo Singh @ Lalo Singh @ Lal Bahadur Singh, S/o Bhuneshwar Singh
All are R/o - Laualagan West, Ward No.03, P.S - Chausa, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-08-2025 Heard Mr. Dr Sanjay Kumar Singh learned counsel appearing on behalf of the petitioners and Mr. Rajendra Nath Jha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Chausa P.S. Case No. 174 of 2024 registered for the offence(s) punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners with a common intention to kill assaulted the son of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that there is only one injury as would



appear from the injury report, which as per the opinion of the doctor has been caused by means of hard and blunt substance. From the perusal of the FIR, it appears that all the accused persons with *Garasa* and hard blunt substance assaulted the son of the informant. There is no specific allegation against any of the accused persons including the present petitioners that the injury has been caused by any one of them and in absence of specific allegation and the same is general and omnibus, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail. He submitted that as per the opinion of the doctor, the injury sustained by the son of the informant is grievous in nature, caused by hard and blunt substance.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, the allegation against the petitioners is that they with a common intention assaulted the son of the informant, causing injury on the vital parts of the body. The Opinion of the doctor reveals that the same has been caused by hard and blunt substance. Allegation against the petitioner no.1 is that he had assaulted by means of *Garasa*, which is a sharp-



edged weapon. Petitioner no.2 has caught hold of the son of the informant and petitioner no.3 had assaulted him by means of *lathi*, which is a hard and blunt substance. There is case and counter case between the parties. Considering the nature of allegation made against the petitioners no.1 and 2, who are having clean antecedents, I find that that they have made out a case to be released on pre-arrest bail.

7. The petitioners no.1 and 2, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj/ Concerned court in connection with Chausa P.S. Case No. 174 of 2024 , subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners no. 1 and 2 and if it is found that the petitioners no. 1 and 2 are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. So far as petitioner no.3 is concerned, the



allegation of assault is supported by the injury report which has been caused by hard and blunt substance and the same is attributable to petitioner no.3. **I am not inclined to grant pre-arrest bail to the petitioner no.3.** Accordingly, the present bail application stands dismissed.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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