

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27415 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- DIDARGANJ District- Patna

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1. Arun Prasad@Arun Kumar S/O Sri Bind Singh @ Vinda Singh R/O Vill.- Kothiya, P.S.- Didarganj, Dist.- Patna.
 2. Yash Raj @ Yash Raj Kumar S/o- Arun Prasad @ Arun Kumar R/O Vill.- Kothiya, P.S.- Didarganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Jha

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Didarganj P.S. Case No. 01 fo 2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 110, 125, 3(5) of B.N.S, 2023.

3. As per prosecution case, there is allegation against petitioner no.1, *Arun Prasad*, who is said to have thrown bricks upon the informant as a result of which informant sustained injury on mouth as well as on teeth. It is further alleged that petitioner no.2, *Yash Raj*, is said to have thrown bricks upon the daughter of the informant as a result of which she sustained injury on the head.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in the case. Learned counsel for the petitioners submits that there is a case and counter case between both the parties and free fighting cannot be ignored. It is further submitted that, though, there is allegation the petitioner no.1 to assault the informant by throwing bricks due to which informant sustained injury upon mouth as well as on teeth and the injury sustained by the informant is grievous as per annexure-3 of the bail petition, however, the petitioner no.1 has falsely been implicated in the case merely on account of previous enmity with the informant. It is further submitted that there is allegation upon the petitioner no.2 to assault the informant's daughter by throwing bricks as a result of which she sustained injury on head but the injury sustained by the informant's daughter is simple in nature. It is further submitted that petitioner no.1 and the husband of the informant are full brothers. Both the family are living separately in mess and business. Apart from that, petitioners bear no criminal antecedent. It is further submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that there is direct allegation against petitioner no.1 and petitioner no.2 to assault the informant and informant's daughter by throwing bricks upon them and hence, they do not deserve bail.



6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail 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 J.M-I, Patna City in connection with Didarganj P.S. Case No. 01 fo 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Alok Kumar Pandey, J)

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