

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28350 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- CHACKMEHSI District- Samastipur

1. Birendra Thakur @ Birendra Kumar S/o Late Ramchandar Mistri @ Ramchandar Thakur Resident of Village- Somanaha, P.S.- Chakmehsi, Distt.- Samastipur At present R.V.C. Campus Kanke, P.S.- Kanke, Distt.- Ranchi
2. Dipak Thakur @ Dipak Kumar S/o Late Ramchandar Mistri Resident of Village- Somanaha, P.S.- Chakmehsi, Distt.- Samastipur At present R.V.C. Campus Kanke, P.S.- Kanke, Distt.- Ranchi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms/Mrs. Nitu Kumari, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-08-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 126(2), 115(2), 118(1), 109, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on the alleged date and time of the occurrence, these petitioners assaulted with iron rod on the head of the informant causing him head injury.

4. It is submitted on behalf of the petitioners that parties are co-sharers and there is land dispute between them. Doctor has found simple injury. F.I.R. has been lodged after inordinate delay of two days without any explanation which



renders the entire prosecution case doubtful. Present case is counter blast of Chakmehsi Police Station Case No. 174 of 2024 lodged by petitioner no.1 against informant and his family members. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned 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 Judicial Magistrate 1st class, Samastipur in Chakmehsi Police Station Case No. 175 of 2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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