

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 30992 of 2025

Arising Out of PS. Case No.-183 Year-2024 Thana- Lakho District- Begusarai

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1. Nunu Babu Singh son of Ram Swarup Singh Village- Iniyar PS- Lakho District- Begusarai
 2. Chandan Kumar son of Nunu Babu Singh Village- Iniyar PS- Lakho District- Begusarai
 3. Kanchan Kumar Son of Nunu Babu singh Village- Iniyar PS- Lakho District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-05-2025 At the outset, learned Advocate for the petitioners submits that during the pendency of the present application, the petitioner no. 1 got arrested and, as such, he seeks permission to withdraw the application with respect to petitioner no. 1, as it has become infructuous.

2. Permission is accorded.

3. Heard the parties.

4. The petitioner no. 2 and 3 apprehend their arrest in connection with Lakho P.S. Case No. 183 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1) and 3(5) of BNS and Section 27 of the Arms Act.

5. Allegedly, on the fateful day, while the informant



had gone to purchase some article, in the meantime, all the FIR named accused persons, including the petitioners, surrounded the informant and assaulted him by means of lathi, khanti and spade. On account of assault, the informant has sustained serious injury over his head; on *hulla* being raised, the brother of the informant namely, Ratnesh Kumar Singh came there, he was also assaulted by the accused persons due to which, he sustained fracture injury in his hand.

6. Learned Advocate for the petitioners contended that there is omnibus allegation against all the accused persons and the written report does not even suggests that the petitioners were carrying which weapons. In fact, on the fateful day, a free fight took place resulting into injuries to persons of both sides. FIR has been instituted in the backdrop of long standing land dispute. To support the aforesaid contention, a plaint of the Title Suit No. 118/ of 2024/98 has been placed on record. It has also been submitted that the informant's side has also filed an application for initiation of proceeding under Section 144 Cr.P.C., however taking note of the pendency of the title suit, the same stands dropped. It is lastly contended that the petitioners are men of fair antecedent and they undertake before this Court that they will not indulge in such type of activities in future and



fully cooperate in the proceeding of the court.

7. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the brother of the informant has sustained grievous injury.

8. Considering the submissions advanced and taking note of the omnibus nature of allegation, coupled with the fact that the brother of the informant has sustained grievous injury over his hand and as also the genesis of occurrence and the fair antecedent, let the petitioner nos. 2 and 3 be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the court concerned in connection with Lakho P.S. Case No. 183 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner nos. 2 and 3.

(Harish Kumar, J)

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