

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32172 of 2025**

Arising Out of PS. Case No.-710 Year-2024 Thana- JAKKANPUR District- Patna

1. Devendra Rai, son of Mangru Rai,  
2. Amardeep Kumar, son of Devendra Rai,  
3. Amar Prakash, son of Devendra Rai  
All are residents of Village -West Jay Prakash Nagar, near CDS School, PS  
-Jakkanpur District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajit Kumar, Advocate  
For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      22-05-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. In the present case, the petitioners are apprehending  
their arrest in connection with Jakkanpur P.S. Case No. 710 of  
2024 for the offences under Sections 126 (2), 115 (2), 352, 303  
(2), 109, 351 (3), 3 (5) of BNS, 2023.

3. As per prosecution case, in the background of land  
dispute, the petitioners abused and assaulted the informant with  
iron *khanti* on his head. When the son and wife of the informant  
came for his rescue, they were also assaulted and the assailants  
snatched a gold chain from the wife of the informant.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. The petitioners are next door neighbours and there is bonafide land dispute between them. The petitioner no.1 is 60 years old person and petitioner nos. 2 & 3 are his sons, who are well qualified and hold degree of B-Tech. The learned counsel further submits that for the same occurrence, Jakkanpur P.S. Case No.709/2024 has been lodged by the petitioner no.1 against the informant of the present case and his family members, who brutally assaulted the petitioners. The learned counsel further submits that injury report shows mere laceration and injury has been opined to be simple in nature. In these facts and circumstances, no offence under Section 109 of BNS is made out and allegation of theft is super addition. The petitioners are having clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple and superficial nature of injury sustained by the informant and further considering the clean antecedent of the petitioners, the case and counter case of the parties and possibility of false implication, let the petitioners above named,



in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna, in connection with Jakkanpur P.S. Case No. 710 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and further condition that the petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

**(Arun Kumar Jha, J)**

V.K.Pandey/-

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