

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30834 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- DHARHARA District- Munger

1. Dasarath Bind, S/O Late Dilip Bind @ Dukhi Bind, R/O Village- Dasarathi, P.S- Dharahara, Distt.- Munger.
2. Rajesh Bind @ Rajesh Kumar Bind, S/O Late Ghuthai Bind, R/O Village- Dasarathi, P.S- Dharahara, Distt.- Munger.
3. Nitish Bind @ Nitish Kumar, S/O Late Ghuthai Bind, R/O Village- Dasarathi, P.S- Dharahara, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manohar Prasad Singh, Adv. Mr. Surya Prakash Vishwas, Adv.
For the Opposite Party/s	:	Mr. Anil Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-08-2025 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Dharhara P.S. Case No. 216 of 2024, registered for the offences punishable under Sections 191(2), 191(3), 190, 329(3), 126(2), 115(2), 118(1), 117(2), 109, 74, 352 and 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023.

3. At the outset, learned Advocate for the petitioner has informed this Court that during the pendency of the present application petitioner no. 3 has already apprehended and, as



such, with respect to his application, the same has been withdrawn with the permission of this Court vide order dated 19.05.2025 itself.

4. Allegedly on the fateful day, while the informant going to take meal, in the mean while all the FIR named accused persons including the petitioners armed with deadly weapons barged into his house. It is specifically alleged that co-accused Pappu Bind having *tengari* in his hand assaulted on the head of Arbind Bind, due to which he sustained head injury. Similarly, other accused persons and the petitioners assaulted the son and the daughter of the informant who have also sustained serious injuries. The reason behind the said occurrence is said to be that the informant has been residing at the house of his maternal grandfather as he has no male issue and availing his entire movable and immovable property, but the accused persons fraudulently got registered the two decimals of the land in the name of co-accused Radha Devi and therefore, the dispute has occurred, leading to institution of the FIR.

5. Learned Advocate appearing on behalf of the petitioner nos. 1 and 2 submitted that there is omnibus allegation against all the family members; that apart, on the alleged date of occurrence, both the parties have entered into



a free fight, resulting into injuries to persons of both the side, leading to institution of case and counter case bearing Dharhara P.S. Case No. 214 of 2024 lodged by one Pappy Bind (co-accused) and another being Dharhara P.S. Case No. 217 of 2024 lodged by co-accused Tarkeshwar Bind against the informant and others. Three persons of the petitioners side have also sustained injuries. So far the injuries sustained to the informant and others are concerned, all the injuries have been found to be simple in nature, except the injuries sustained to one Arbind Bind, whose nature of injury was kept reserved. It is lastly contended that the petitioner undertake before this Court that they will fully cooperate in the proceeding of the Court and will not indulge in such type of activities in future.

6. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that because of the assault being made by the petitioners and others, five persons of the informant's side have sustained injuries.

7. Having considered the submissions set forth by learned Advocate for the respective parties and taking note of the omnibus nature of allegation, coupled with the case and counter case and the nature of injuries, let the petitioners above named 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Dharhara P.S. Case No. 216 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 petitioners.

(Harish Kumar, J)

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