

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31260 of 2025

Arising Out of PS. Case No.-520 Year-2024 Thana- GOPALPUR District- Patna

1. Chandan Kumar S/o Sundar Rai @ Shyam Sundar Prasad, R/O Village-Shahpur, P.S. Gopalpur, Dist- Patna.
2. Kundan Kumar S/o Sundar Rai @ Shyam Sundar Prasad, R/O Village-Shahpur, P.S. Gopalpur, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Tiwary, Adv.
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, APP
For the Informant	:	Mr. Vijay Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State as well as the learned Advocate for the informant.

2. The petitioners seek regular bail, who are in custody in connection with Gopalpur P.S. Case No.520 of 2024 registered for the offences punishable under Sections 191(2), 190, 126, 115(2), 109, 74, 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report, the prosecution alleges that while the informant was cleaning her house, water was falling outside her house, in the meantime, the petitioners and their family members came there and objected the same.



Upon remonstrations, all the accused persons including the petitioners came out with the weapons and started abusing the informant. When the husband of the informant came there, both the petitioners assaulted him by means of iron rod over his head due to which he sustained grievous injury. There are further allegations against other accused persons of causing assault to other family members of the informant.

4. Learned Advocate for the petitioners referring to the FIR, has firstly contended that there is omnibus allegation against both the petitioners of causing assault; moreover, the incident was not a premeditated rather at a spur on account of trifle, resulted into scuffle between both the parties, leading to case and counter case bearing Gopalpur P.S. Case No.521 of 2024 instituted by petitioner no.1. He further submitted that the petitioners are the men of tender age only 21 years and 19 years, respectively having absolutely fair antecedent.

5. Learned Advocate for State and the Learned Advocate for the informant vehemently opposed the bail application and taking this Court through the injury report have submitted that the injured has sustained four injuries, out of them, one injury is said to be grievous in nature. They further contended that other family members were also sustained



injuries; albeit, the nature of injuries are found to be simple in nature but it also suggests that they are brutally assaulted.

6. Learned Advocate for the informant further contended that the husband of the informant is yet being treated and his life is still in danger.

7. Regard being had to the submissions made on behalf of the parties and taking note of the grievous injury caused by the petitioners upon the husband of the informant, this Court is not acceded to the prayer for bail of the petitioners. Accordingly, their prayer is rejected for the present.

8. However, the petitioners shall be at liberty to renew their prayer for bail after framing of charge(s).

(Harish Kumar, J)

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