

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31789 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- SIMRI District- Buxar

1. Ratan Thakur @ Ratan Kumar Thakur S/O Late Gaya Thakur R/O Village-Sohiyar, P.S- Simri, Distt- Buxar (Bihar).
2. Aman Thakur S/O Ratan Thakur @ Ratan Kumar Thakur R/O Village-Sahiyar, P.S- Simri, Distt- Buxar (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-05-2025 Heard Mr. Sanjay Kumar, learned Advocate for the petitioners and Mr. Satyendra Narayan Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Simri P.S. Case No. 51 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 351(2), 352, 74, 109, 3(5) of the Bharatiya Nyaya Sanhita. 2023.

3. While the husband of the informant was coming after playing *Holi*. In the meanwhile, all the F.I.R. named accused, including the petitioners, armed with *Lathi*, *Danda* and *Katta* brutally assaulted the informant's husband, due to which he sustained severe injury. When the informant came to rescue



her husband, she was also abused, assaulted and threatened with dire consequences.

4. Learned Advocate for the petitioners taking this Court through the F.I.R. contended that there is allegation of assault against all the accused persons, who are non-else, but the family members, however no specific allegation has been attributed against the petitioners. In fact, on the eve of *Holi*, on account of playing D.J. some dispute has arisen where both the parties entered into scuffle, resulting into injuries in both sides. There is counter case to the alleged occurrence, being Simri P.S. Case No. 51 of 2025, instituted by the wife of petitioner no.1. Both the parties are co-villagers and the genesis of the occurrence is said to be a petty matter. It is lastly contended that so far the injury sustained to the husband of the informant is concerned, though one of the injury has been found to be grievous in nature, but it has not been specifically attributed to the petitioners. The petitioners are men of fair antecedent and they undertake that they will not involve in such type of activities in future and cooperate in the proceedings of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioners had brutally assaulted the husband of the informant, leading to



grievous injuries.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the case and counter case, as also the fair antecedent of the petitioners and the occurrence took place on the eve of *Holi*, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. Case No. 51 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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