

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32871 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Kedar Ray S/o- Late Bilat Ray Resident of Village- Dihkalna PS- Kusheshwar Asthan, Dist- Darbhanga
 2. Pintu Kumar @ Babu Shaheb S/o- Ramwatar Rai, Resident of Village- Dihkalna PS- Kusheshwar Asthan, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar, APP
Mr. Jyoti Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Khusheshwar Asthan P.S. Case No. 71 of 2025, instituted under Sections 191(2), 126(2), 127(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of B.N.S., 2023.

3. As per the prosecution case, F.I.R. named accused persons including the petitioners armed with weapon came and brutally assaulted the informant. When the younger brother of the informant, namely, Rajiv Kumar came to save him, co-accused Sanjay Ray assaulted him by means of *Farsa* on his head. The occurrence took place due to previous enmity



between the parties.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Allegation against the petitioners are general and omnibus. Specific allegation of assault is against co-accused Sanjay Ray, however, injury report shows that the injury on the injured is simple in nature. There is case and counter case between the parties. Petitioners and informant are agnates. They have dispute regarding partition of ancestral property and a title suit is pending in the concerned Court. Petitioner No. 1 has one criminal antecedent in which police has submitted final form against the petitioner. Petitioner No. 2 has two criminal antecedents. Petitioners undertake to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned S.D.J.M., Biraul, Darbhanga in connection with
Kusheshwar Asthan P.S. Case No. 71 of 2025, subject to the
conditions laid down in Section 482 (2) of the Bharatiya Nagrik
Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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