

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34143 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- BARHARA District- Bhojpur

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1. Lakathu Turha @ Jay Bihari Prasad, Male, aged about 60 years, S/O Late Sokan Turha
 2. Gorakh Kumar @ Gorakh Turha, aged about 28 years, S/O Lakathu Turha @ Jay Bihari Prasad
- Both are Resident of Village- Farana, P.S.- Barhara, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 11-09-2025 Heard Mr. Raju Kumar Singh, learned counsel appearing on behalf of the petitioners and Ms.Indu Kumari Srivastava, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Barahara P.S. Case No. 362/2024 registered for the offence(s) punishable under Sections 117(2), 126(2), 115(2), 109, 303(2), 351(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioner assaulted the



informant on his head, causing injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to land dispute. There is case and counter case between the parties. He further submitted that the injury sustained by the informant is not clear, as to whether, the same is simple or grievous in nature. Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, **the learned District Court is directed to call for the final opinion of the doctor in respect of the injury sustained by the informant and if it is found that the same is simple in nature, then in that case, the petitioners, above named, are directed to be released on pre-arrest bail,** in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at



Ara / Concerned Court in connection with Barahara P.S. Case No. 362/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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