

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40782 of 2025

Arising Out of PS. Case No.-352 Year-2019 Thana- RANIGANJ District- Araria

1. Ghunghroo Risideo @ Ghogaru Risideo S/o Munni Rishi R/o Vill - Jagta Dhanha, Ward no 3, Ps. Raniganj Distt. Araria-854334
2. Kelu Kumar @ Kaila Kumar S/o Bablu Risdeo R/o Vill - Jagta Dhanha, Ward no. 3, PS. Raniganj, Distt. Araria- 854334

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Nishant Kumar Sinha, Advocate
For the State	:	Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 03-09-2025

Heard learned counsel for the parties.

2. Learned counsel for the petitioners seek permission to withdraw this application as against the petitioner no.2 as he does not wish to press the same.

3. Permission is granted.

4. Accordingly, this application as against petitioner no.2 is dismissed as withdrawn.

5. Now, this application is being heard only with regard to the petitioner no.1.

6. The petitioner no.1 apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

7. As per the FIR, the petitioner and other co-accused persons assaulted the informant and his wife on the



pretext of a land dispute.

8. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the contents of the FIR clearly indicate that the incident arose out of a land dispute between the parties. Moreover, the petitioner was residing outside the state for the purpose of livelihood at the time of the alleged incident. The dispute originated due to the aggressive behaviour shown by the informant. It is next submitted that petitioner no. 1 is alleged to have merely facilitated the incident by catching hold of the informant, whereas the petitioner no. 2 is alleged to have committed the assault. Learned counsel for the petitioner submits that the petitioner no. 1 is an old aged person, and the incident was not the result of any intentional act on their part, rather same was spontaneous. Lastly, it is submitted that the petitioner no.1 has no criminal antecedents and is man of means and the only source of livelihood for his family.

9. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

10. Considering the fact that the direct allegation of assaulting the informant rather specific allegation is against



petitioner no. 2, whose bail application has already been withdrawn as not pressed, and that there is no specific overt act attributed to petitioner no. 1, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria/Successor Court in connection with Raniganj P.S. Case No.352 of 2019, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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