

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36715 of 2025

Arising Out of PS. Case No.-327 Year-2024 Thana- BHAGWANPUR District- Vaishali

1. Vivek Kumar S/o Amod Ray @ Amod Kumar Village - Karahari, Police Station - Bhagwanpur, District - Vaishali
2. Abhishek Kumar S/o Amod Ray @ Amod Kumar Village - Karahari, Police Station - Bhagwanpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rashid Izhar, Adv.
For the State	:	Mr.Ajay Kumar Jha, APP
for the O.P. No. 2	:	Mr. Ravindra Kr. Shukla, Adv.
		Mr. Ritu Raj Shukla, Adv.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 25-11-2025 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 327 of 2024 registered for the offences punishable under Sections 126(2), 115, 118(1), 109, 352, 3(5) and Subsequently 103(1) of the BNS, 2023.

3. According to FIR, 15 named accused persons came to the door of the informant and started abusing him. On the order of co-accused Kailash Rai, the accused persons started assaulting the deceased. There is specific allegation against co-accused Umesh Rai and Shankar Rai of inflicting iron-rod blows on the deceased. The accused persons also assaulted the



informant's nephew and Golu, who is son of the nephew.

4. The learned counsel for the petitioners has submitted that only one injury was found on the head of the deceased, which is attributable to co-accused Shankar Rai and Umesh Rai. He has further submitted that there is a land dispute between the informant and the members of the petitioners' side and Title Suit No. 636 of 2011 is pending. He has also submitted that the members of the defense side had lodged criminal cases against the members of the prosecution side, namely Bhagwanpur P.S. Case No. 324 of 2024 and Bhagwanpur P.S. Case No. 262 of 2015.

5. On the other hand, learned counsel for the informant has opposed the prayer for bail and submitted that the petitioners had caught hold of the deceased when co-accused Umesh Rai and Shankar Rai were inflicting iron-rod blows on his head.

6. From perusal of the FIR, it appears that the specific allegation of assaulting the deceased with iron rod is against co-accused Umesh Rai and Shankar Rai and only one injury is found on the person of the deceased.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be



released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Hajipur, Vaishali in connection with Bhagwanpur P.S. Case No. 327 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

8. The petitioners will appear in the court on each and every date fixed by the trial court till framing of charges.

(Nawneet Kumar Pandey, J)

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