

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38453 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- DEV District- Aurangabad

Shatrudhan Singh, Son of Late Mathura Singh, R/O Village- Panti, Pachokar,
P.S.- Deo, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Deo P.S. Case No. 82 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly while the informant was at his door, in the meanwhile, his brother along with two unknown persons came there with Iron rod and assaulted him. When the family members of the informant came to his rescue, they were also assaulted and misbehaved.

4. Learned Advocate for the petitioner submitted that from the F.I.R., it would be evident that the reason behind the said occurrence is said to be the land dispute and the petitioner is non-else, but the younger brother of the informant and in fact



on account of some trifle, both the brothers entered into a free fight, due to which unfortunate injury has been caused to the informant. However, even as per the narrations made in the F.I.R., there is no specific allegation against the petitioner that it is only he, who had assaulted the informant, rather omnibus allegation has been leveled against the petitioner and two unknown persons. Moreover, the injuries, which is sustained over the body of the informant, are concerned that is on non-vital part of the body and there is no repetition, as is evident from the injury report. The petitioner having fair antecedent and undertakes that he will not indulge in such type of crime in future and will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that serious allegation has been levelled against the petitioner that he assaulted his elder brother, causing serious injury.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the omnibus nature of allegation, coupled with the fact the informant sustained injury over the non-vital part, though is grievous in nature, as also the relationship of the petitioner with the informant, besides his fair antecedent, let the petitioner,



named above, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 82 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions:

- (i) One of the bailors shall be the own/close relative of the petitioner.
- (ii) In case, the petitioner shall be found indulged in intimidating the informant and others, the informant shall be at liberty to file application for cancellation of his bail.

(Harish Kumar, J)

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