

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38946 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- BISHANPUR District- Darbhanga

1. Suresh Singh S/O Late Ram Sawroop Singh R/O Village- Rampur Dih, P.S-Bishanpur, Dist- Darbhanga.
2. Rajiv Singh S/O Suresh Singh R/O Village- Rampur Dih, P.S-Bishanpur, Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the Informant	:	Mr. Saurav Anand, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Bishanpur P.S. Case No. 46 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 74, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioners and other co-accused persons surrounded the informant when he was returning to his house from the market. The petitioner no. 1 caught hold of the informant and ordered to kill him. Co-accused-Bablu Singh hit him on his head with iron rod.



Petitioner-Rajiv Singh also struck the informant on his head with iron rod. The other co-accused persons also assaulted the informant with bamboo stick. Petitioner no. 1 gave him lathi blow. Petitioner-Rajiv Singh and co-accused Babloo Singh started tearing the clothes of wife of the informant. The villagers took the informant and his nephew to the hospital.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Learned counsel further submits that on 17.03.2025, informant and others assaulted the petitioners' side and the petitioners went to the police station for registration of FIR, but their case was not registered, then the wife of petitioner no. 1 filed a complaint petition bearing No. 317 of 2025 before the learned Chief Judicial Magistrate, Darbhanga. Learned counsel further submits that there is only one injury on the informant and that is a lacerated wound of size 10cm x 2cm x 0.5cm over occipital region. This falsifies the allegation against the petitioner-Rajiv Singh as the said injury is stated to be caused by two persons. The allegations are general and omnibus and from the injury report, the allegations appears to be false and concocted. The petitioners are in custody since 12.04.2025 and charge-sheet has been submitted. The petitioner no. 1 is having



antecedent of two cases whereas petitioner no. 2 is having antecedent of one case and in such cases, they are on bail.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that there is specific allegation against the petitioner-Rajiv Singh that he gave blow of iron rod on the head of the informant apart from other allegations including one for tearing the clothes of the wife of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioners and also considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Bishanpur P.S. Case No. 46 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of



the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

