

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38477 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- SILAO District- Nalanda

Brahmdeo Singh S/O Late Sidho singh Resident of Village- Godiha ,P.S-
Silao ,Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Silao P.S. Case No. 89 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 117(2), 74, 351(3), 352 and 3(5) of the BNS.

3. While the informant along with his family members were engaged in constructing hut over their land, in the meanwhile, all the FIR named accused persons armed with *lathi*, *danda* arrived there and brutally assaulted them. It is specifically alleged that this petitioner gave *danda* blow to the informant, as a result of which, she became unconscious. There is further allegation against other accused persons of assault and misbehaving with the informant and others.



4. Learned Advocate for the petitioner contended that from the narrations made in the FIR, it is evident that on account of a land dispute, the present FIR came to be lodged, moreover, the present case is nothing but a counter blast to Silao P.S. Case No. 88 of 2025, lodged by the daughter-in-law of the petitioner against the informant and his family members. In fact on account of a land dispute, both the parties have entered into a free fight, resulting into injuries to persons of both the sides. In the said occurrence, the petitioner has also sustained severe injuries, the copy of the injury report has also been placed on record as Annexure-P/4. So far the injury sustained to the informant, and allegedly attributed to the petitioner, the same has been found to be simple in nature. The petitioner apart from a septuagenarian, bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submitted that the petitioner along with other accused persons have brutally assaulted the informant and one of his relatives has sustained grievous injury.

6. Having considered the submission set-forth by learned Advocate for the respective parties and taking note of the allegation and the injury attributed against the petitioner,



coupled with the factum of case and counter case and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate - 1st Class/Successor Court, Nalanda at Bihar Sharif in connection with Silao P.S. Case No. 89 of 2025, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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