

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41013 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- MORKAHI District- Khagaria

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1. Nirankar Kumar S/O Late Triveni Sah R/O Village- Bachhauta Ward No. 14, P.S.- Morkahi, District- Khagaria
 2. Pankaj Sah S/O Late Triveni Sah R/O Village- Bachhauta Ward No. 14, P.S.- Morkahi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vivekanand Singh, Advocate
For the Informant	:	Mr. Santosh Singh, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 20-08-2025 Heard Mr. Vivekanand Singh, learned counsel for the petitioners; Mr. Santosh Singh, learned counsel for the informant and Mr. Yogendra Kumar Singh, learned APP for the State.

2. The petitioners have prayed for bail in connection with Morkahi P.S. Case No. 35 of 2025 registered for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 109, 329(4), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the petitioners along with others being armed with *lathi* and *iron rod*, entered in the house of the informant and started abusing. It is also alleged that petitioner no. 1 namely, Nirankar Kumar assaulted with *lathi* on the head of the informant. It is further alleged that the



informant namely, Ramratan Sah and other family members came to rescue, they were also being assaulted by the accused persons.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that the informant has received injuries, caused by hard and blunt substance, though the nature of injury is grievous. He next submits that there is also a counter version of this case which has been filed by the wife of petitioner no. 1. It has also been submitted that there is a delay in lodging of the FIR and as per the FIR, the occurrence took place on 03.03.2025, whereas the FIR was lodged on 17.03.2025, though in re-statement the informant has stated that he has wrongly mentioned the date of occurrence. There is only specific allegation against the petitioner no. 1 is that he has assaulted the informant with *lathi*. There is no repetition of blow. It has lastly been submitted that the petitioner nos. 1 and 2 are languishing in judicial custody since 29.03.2025 and 18.04.2025 respectively.

5. The application for bail is vehemently opposed by learned APP for the State and the learned counsel for the informant. Learned counsel for the informant submits that in this case, seven persons are injured. Ramratan Sah has also received injury which is grievous in nature. From perusal of the FIR, it is



clear that only specific allegation is against petitioner no. 1 namely, Nirankar Kumar whereas allegation against other petitioner is general and omnibus.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Class, Khagaria in connection with Morkahi P.S. Case No. 35 of 2025.

(Ashok Kumar Pandey, J)

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