

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47191 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- MOHANPUR District- Gaya

1. Devraj Prasad S/o Late Balmukund Prasad R/o Vill- Selari Gambhira, P.S.- Barachatti (Mohanpur), Dist- Gaya
2. Suresh Prasad S/o Late Balmukund Prasad R/o Vill- Selari Gambhira, P.S.- Barachatti (Mohanpur), Dist- Gaya
3. Aadesh Prasad @ Angad Prasad S/o Late Balmukund Prasad R/o Vill- Selari Gambhira, P.S.-Barachatti (Mohanpur), Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP
For the Informant	:	Mr. Md. Javed Jafar Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners seek bail in connection with Mohanpur P.S. Case No. 38 of 2025 instituted for the offences under Sections 126(2), 115(2), 117(2), 352, 351(2), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that, on the alleged date and time of occurrence, the accused persons were



forcefully digging the pillar on the informant's land. When the informant objected, they assaulted the informant and her husband with iron rods and *khanti* due to which they sustained injuries.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. There is previous land dispute between the parties and both the parties are *gotias*. It has been submitted on behalf of the petitioners that the petitioners are in custody since 19.02.2025. Petitioner nos. 2 and 3 have no criminal antecedent whereas petitioner no. 1 has one criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners 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 Court
below/concerned Court in connection with Mohanpur P.S. Case
No. 38 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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