

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48564 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- DUMRA District- Sitamarhi

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1. Suraj Kumar, Son of Ram Bali Das
 2. Ram Bali Das, son of Ram Awatar Yadav
Both Resident of Village-Dharambana ,P.S.- Dumra, District -Sitamarhi
- Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 12-12-2025 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. for the State.

2. The accused/petitioners seek bail in connection with Dumra P.S. Case No. 171 of 2025 registered for the offences under Sections 103(1), 103(2) and 61 of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioners are named in the First Information Report and are in custody since 16.04.2025.

4. As per FIR, the son of the informant was assaulted by seven unknown persons on the pretext of checking his two laptops out of certain suspicion (not disclosed). It is alleged that son of the informant was taken away to a nearby room, where he was physically assaulted by



co-accused Rajesh Yadav by using knife and also by Vijay Yadav by using electric shock.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners were not amongst the seven co-accused persons, who actively found involved in assaulting the son of the informant on the pretext of checking his laptop. It is submitted that allegation of physical assault is available against Rajesh yadav and Vijay Yadav leading to death of son of the informant. It is pointed out that merely as petitioners were the part of crowd, which was assembled in front of the house of the petitioners, they were implicated with the present case. It is submitted that considering the aforesaid aspect the co-accused Rina Devi @ Rina Kumari was granted Anticipatory Bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 62826/2025 dated 17.09.2025.

6. While concluding argument, it is submitted that petitioners have got clean antecedent and moreover, investigation of this case is already completed, charge-sheet has been submitted and, as such, there is no chance of



tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

8. In view of aforesaid factual submissions and by taking note of the fact as petitioners appear *prima facie* only the part of crowd without attributing any overt act, coupled with the fact that investigation of this case is already completed, where petitioners being men of clean antecedent remains in custody since 16.04.2025, accordingly, above-named petitioners are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi/ concerned court in connection with Dumra P.S. Case No. 171 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

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