

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49961 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- Rampur Chauram District- Arwal

1. Nitu Devi W/O Neeraj Kumar R/O Vill.- Sarwa, Abgila, Sarwan, P.S.- Rampur Chauram, Dist.- Arwal.
2. Sushma Devi @ Sushma Kumari W/O Sanjay Kumar R/O Vill.- Sarwa, Abgila, Sarwan, P.S.- Rampur Chauram, Dist.- Arwal.
3. Sanjay Singh @ Sanjay Kumar S/O Late Awadh Bihar Singh R/O Vill.- Sarwa, Abgila, Sarwan, P.S.- Rampur Chauram, Dist.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kushal, Adv.
		Mr. Nagmani Patel, Adv.
For the Opposite Party/s :		Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Rampur Chauram P.S. Case No. 42 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 115(2), 118, 109 of BNS, 2023.

3. Allegedly, on the fateful day, the informant saw the co-accused Neeraj Kumar indulged in cleaning the disputed land; when protest was made all the FIR named accused persons, 12 in number, armed with lathi and danda came there and started assaulting him and his family members. It is specifically alleged that co-accused Bhola and Neeraj Kumar



assaulted the informant over his head due to which he sustained serious injury. It is further alleged that the petitioner nos. 3 has assaulted the mother of the informant over her head due to which she also suffered injury. The other co-accused persons assaulted the other family members of the informant and later on all of them were sent for Sadar Hospital for treatment.

4. Learned Advocate for the petitioners contended that so far the petitioner nos. 1 and 2 are concerned, there is omnibus nature of allegation against them and, in fact, they are female members of the family and only in order to put pressure upon them their names have been implicated. So far the petitioner no. 3 is concerned, there is allegation of causing assault over the head of the mother of the informant but from the impugned order it transpired that there is no discussion with regard to her injury. Moreover, two of the persons, who have sustained grievous injury that has been attributed against other co-accused persons. He further submits that the disputed land was purchased by petitioner no. 1 and her husband on 27.01.2025 and they have been coming in possession but on account of the dispute raised by the informant and his family members proceeding under Section 163 of BNSS was initiated on 22.01.2025 which also came to an end after 60 days and the



present occurrence took place on 03.05.2025 and thus no proceeding under Section 163 of BNSS was pending. He next submitted that there is counter version of the present occurrence being Rampur Chauram P.S. Case No. 43 of 2025 lodged by co-accused Neeraj Kumar against the informant and others. The petitioners are always ready to cooperate in the proceeding of the court and shall abide by the terms and conditions of this Court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the petitioners have actively participated in the crime in which two of the persons have sustained grievous injury. The accused persons prima facie appear to be aggressor.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the role assigned to the petitioners as also the genesis of the occurrence and the land dispute between the parties, apart from their fair antecedent as also the fact that the grievous injuries caused to two of the persons have not been attributed against the petitioners, let the petitioners abovenamed be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Class, Arwal in connection with Rampur Chauram P.S. Case No. 42 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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