

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50226 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Naresh Thakur S/o Late Dev Narayan Thakur R/o Village- Kalyanpur Vaitipur, Ward No 12, P.S- Bibhutipur, District- Samastipur
2. Parvin Kumar Thakur @ Pravin Kumar Thakur @ Pravin Kumar S/o Naresh Thakur R/o Village- Kalyanpur Vaitipur, Ward No 12, P.S- Bibhutipur, District- Samastipur
3. Vipin Kumar Thakur @ Bipin Kumar Thakur @ Bipin Kumar @ Vipin Kumar Thathur S/o Arun Thakur R/o Village- Kalyanpur Vaitipur, Ward No 12, P.S- Bibhutipur, District- Samastipur
4. Arun Thakur S/o Late Devnarayan Thakur R/o Village- Kalyanpur Vaitipur, Ward No 12, P.S- Bibhutipur, District- Samastipur
5. Rakesh Kumar Thakur S/o Naresh Thakur R/o Village- Kalyanpur Vaitipur, Ward No 12, P.S- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Adv.
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-11-2025 Heard learned Advocate for the petitioners and

learned Advocate for the State.

2. The petitioners no.1 to 4 are apprehending their arrest in connection with Bibhutipur P.S. Case No.100 of 2025 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 118(1), 117(2), 109 and 3/5 of the BNS, 2023.

3. On the eve of Holy, when the informant' son along with his two friends were returning to home after playing colours, all the petitioners along with three others intercepted



the informant's son and brutally assaulted him by means of lathi, danda and iron rod, due to which he sustained serious injuries. It is further contended that when the friends of the informant's son tried to save him, they were also assaulted by the accused persons.

4. Learned Advocate for the petitioners contended that besides the omnibus nature of allegation, it appears that the alleged occurrence took place on 14.03.2025 and the present FIR came to be instituted on 17.03.2025, without any plausible explanation of delay. There is a counter version of the present case, being Bibhutipur P.S. Case No.101 of 2025 registered by the wife of petitioner no.4 against the informant and his son with other family members. It is next contended that in fact on account of some misconduct on the part of the informant's son along with the family members of the petitioners, the villagers assembled there and taught him a lesson. However, in order to wreck vengeance, the present FIR has been instituted. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that because of assault made by the petitioners, the informant's son has sustained grievous injury, inasmuch as his hand was broken by



the accused persons.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the omnibus allegation, besides the delay in filing of the FIR and the factum of case and counter case, coupled with the injury sustained on the non-vital part and the fair antecedent of the petitioner, let the above named **petitioners no.1 to 4**, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rosera at Samastipur in connection with Bibhutipur P.S. Case No.100 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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