

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50798 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- RAGHOPUR District- Vaishali

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1. Ram Singh Rai S/O Alak Dev Rai Resident of village- Rampur Shyamchand, P.S- Raghapur, Distt.- Vaishali.
 2. Visheswar Rai S/O Ram Singh Rai Resident of village- Rampur Shyamchand, P.S- Raghapur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Raghapur P.S. Case No. 142 of 2024, registered for the offences punishable under Sections 147, 148, 323, 324 and 307 of the Indian Penal Code.

3. Allegedly on the fateful day, all the FIR named accused persons, including the petitioners, came at the place of occurrence and assaulted the informant and his father. It is specifically alleged that co-accused *Vipul Rai* assaulted the informant on his body with *lathi*, whereas, other co-accused persons, including the petitioners, assaulted the father of the



informant, namely, *Samsher Rai*. There is allegation against Sonu Rai of giving a cut injury by means of *garasa*.

4. Learned Advocate for the petitioners contended that so far the petitioners are concerned, there is omnibus nature of allegation of assault against them. Both the parties are none else but the close agnates and on account of a land dispute, some scuffle took place, in which the informant and his family members have sustained unfortunate injuries. However, it is evident from the impugned order that all the injuries sustained to the informant and others have been found to be simple in nature. The petitioners bear two criminal antecedent, as has been disclosed in paragraph no. 3 of the bail application. However, it is submitted that they would not indulge in such activities in future.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime and brutally assaulted the informant and others.

6. Having considered the submission set-forth by learned Advocate for the respective parties and taking note of the omnibus nature of allegation and the genesis of the occurrence, coupled with the simple nature of injury, let the



petitioners above named 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 Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Raghopur P.S. Case No. 142 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik 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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