

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53004 of 2025

Arising Out of PS. Case No.-135 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

1. Naveen Kumar S/o- Shubh Narayan Ray @ Subhnarayan Rai Village- Chatauni PS-Tariyani District- Sheohar
2. Sunil Kumar S/o- Rajnarayan Rai Village- Chatauni PS-Tariyani District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Ashok Kumar Sinha, learned counsel for the petitioners and Mr. Vinod Shanker Modi, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tariyani P.S. Case No. 135 of 2023, F.I.R. dated 10.06.2023 for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

3. According to prosecution case, on 10.06.2023 at about 09:00 AM, a dispute arose over cultivation of disputed land, during which the informant was assaulted. It is alleged that Naveen Kumar assaulted the informant with a sword, Sunil Kumar with an iron rod on his head with intent to kill, and Amit Kumar assaulted the informant's uncle with an iron rod. Further, Vikash Kumar, Raj Narayan Rai and Dhiraj Kumar assaulted the informant's father with lathi and bamboo sticks, causing



injuries.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedent. It appears from the F.I.R. that due to admitted land dispute, the present occurrence had taken place. There is case and counter case. Although, there is specific allegation against the petitioner no. 1 that he assaulted the informant but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case and injury inflicted on the injured person is simple in nature, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar in connection with Tariyani P.S. Case No. 135 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Neha/-

U		T	
---	--	---	--

