

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52651 of 2025

Arising Out of PS. Case No.-388 Year-2025 Thana- AHYAPUR District- Muzaffarpur

1. Dharmendra Prasad @ Dhramendra Prasad S/o Nathu Bhagat R/o Village - Jamalabad, P.S - Ahiyapur, District - Muzaffarpur
2. Vivek Kumar S/o Dharmendra Prasad @ Dhramendra Prasad R/o Village - Jamalabad, P.S - Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 329(3), 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109, 303(2), 351(2), 351(3) of the B.N.S.S.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that while his three sons were having conversation with regard to partition of land amongst themselves, when the accused persons named in the FIR came variously armed and assaulted Ravi by an iron rod causing injury on head, thereafter



the accused also assaulted Vikash, on account of which he suffered fracture of right hand and when the informant came to rescue his son, the accused along with 6-7 unknown accused assaulted him with lathi, danda, rod and bricks causing injury on head. The accused also took Rs.10,000/- and a chain.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that the dispute arose amongst the son of the informant, when they were discussing about partition of the land, on account of which, the sons assaulted each other. It is next submitted that informant very wisely implicated the petitioners along with their entire family members. It is also submitted that informant claims to be an eyewitness to the occurrence but then from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against any of the accused which amply demonstrates that the occurrence did not take place in the manner as is being alleged. It is further submitted that even injured suffered one injury as such the assault must be specific but then the allegation of assault is general and omnibus in nature. It is next submitted that no doubt the injury suffered by two of the injured is opined to be grievous



but allegation of assault is not specific and petitioners are persons with clean antecedent and are not criminals.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Ahiyapur P.S. Case No.388/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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