

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59004 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- KHAJAUЛИ District- Madhubani

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1. Rambilas Singh S/O Late Yadu Singh R/O Village- Datuar, P.S- Khajauli, Dist.- Madhubani.
 2. Ram Kumar Singh S/O Sri Rambilas Singh R/O Village- Datuar, P.S- Khajauli, Dist.- Madhubani.
 3. Naresh Kumar Singh S/O Sri Ram Kumar Singh R/O Village- Datuar, P.S- Khajauli, Distt.- Madhubani.
 4. Mithilesh Kumar @ Mithilesh Kumar Singh S/O Sri Ram Kumar Singh R/O Village- Datuar, P.S- Khajauli, Distt.- Madhubani.
 5. Diwakar Singh @ Diwakar Kumar Singh S/O Shiv Kumar Singh R/O Village- Datuar, P.S- Khajauli, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP
For the Informant	:	Mr. Binod Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 126(2), 115(2), 103(1), 61(1) and 3(5) of the B.N.S..



3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, were forcibly grabbing the land of informant and on objection, all of them assaulted wife and other family members of informant by means of *lathi*, *danda* and bricks as a result of which, wife of informant died.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are agnates and admittedly there are pending litigation between them. Taking this Court to the *post mortem* report, learned Advocate for the petitioners further submitted that though the report reveals the deceased has sustained four injuries and on account of the impact of the injuries, there was bleeding from the nose of the deceased, however, all these four injuries are in fact has resulted on account of falling at the hand pump erected at the place of occurrence. There are general and omnibus allegation against all the accused persons of causing assault by means of *lathi*, *danda* and bricks, but as stated above, *prima facie*, it appears that the deceased has sustained one injury, which also strengthens the



case of the accused persons that because of enmity, the names of all the other family members have been given. Moreover, charge-sheet has already been submitted and petitioners are in custody since 19.04.2025.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and period of custody, the prayer for grant bail of to the petitioners is allowed.

7. Accordingly, let the above named petitioners 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 learned Chief Judicial Magistrate, Madhubani in connection with Khajauli P.S. Case No. 52 of 2025.

(Prabhat Kumar Singh, J)

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