

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56955 of 2025

Arising Out of PS. Case No.-326 Year-2025 Thana- VAISHALI District- Vaishali

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1. Ratnesh Kumar S/O Nawal Kishore Thakur R/O Village- Mauna Kahima, P.S.- Vaishali (Belsar O.P.), District- Vaishali.
 2. Vikram Kumar S/O Ram Jeevan Thakur R/O Village- Mauna Kahima, P.S.- Vaishali (Belsar O.P.), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. After some arguments, learned counsel for the
petitioners prays for withdrawal of the anticipatory bail
application on behalf of petitioner no.2 Vikram Kumar.

3. Permission is granted.

4. This application is dismissed as withdrawn with
liberty that if the petitioner no.2 surrenders within a period of
three weeks and seeks regular bail before the learned Court
below, the same shall be considered on its own merit without
being prejudiced by the present order of withdrawal.

5. The petition now survives on behalf of petitioner



no.1 only.

6. The petitioner no.1 apprehends his arrest in connection with Vaishali P.S. Case no.326 of 2025 registered under sections 191(2), 190, 115(2), 117(2), 109(1), 303(2), 76 and 352 of the B.N.S, 2023.

7. As per the prosecution case, the informant states that F.I.R named accused persons including this petitioner herein came to the house of the informant variously armed and started abusing the informant. On protest, accused Vikram Kumar assaulted the informant by means of iron rod on his head due to which he sustained injuries. Accused Ratnesh Kumar (petitioner no.1) with others assaulted the family of the informant causing injuries to them.

8. Learned counsel for the petitioner submits that it would be apparent from the F.I.R that thrust of the allegation is upon co-accused Vikram Kumar of having assaulted on the head of the informant by means of iron causing injuries to him which is in the nature of scalp hematoma although it is said to be simple in nature but on vital part of the body. So far as petitioner no.1 is concerned, there is allegation of assault upon family of the informant. The injury sustained by the wife and daughter of the informant is simple in nature but his father sustained



grievous injuries on left fore arm but on non-vital part of the body. Both the parties are the *goityas* and the occurrence took place due to land dispute. There is case and counter case. The manner of occurrence is other than what has been narrated in the F.I.R and the correct version is stated in the F.I.R. being Vaishali P.S. Case no.318 of 2025.

9. The application for anticipatory bail is opposed by learned A.P.P. for the State.

10. In view of the entire facts and circumstances of the case and considering that the thrust of allegation is on co-accused Vikram Kumar and there is case and counter case, it is directed that the petitioner namely Ratnesh Kumar, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Vaishali P.S. Case no.326 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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