

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57257 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- BHAGWANPUR District- Begusarai

1. Prabhat Kumar S/o Ram Pukar Singh R/o Village- Naula (Noula) Ward No 18, PS- Bhagwanpur, District- Begusarai
 2. Ram Pukar Singh S/o Late Ramkishun Singh @ Ramkishun Singh R/o Village- Naula (Noula) Ward No 18, PS- Bhagwanpur, District- Begusarai
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sandip Kumar Gautam, Advocate
For the State	:	Mr.Rajiv Nayan, APP
For the Informant	:	Mr. Mukund Kumar, Advocate
		Mr. Amar Nath Kumar, Advocate
		Mr. Rishi Pal, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-11-2025 Heard learned counsel for the petitioners and learned APP for the State as well as learned counsel appearing on behalf of the informant.

2. In the present case, the petitioners seek bail in connection with Bhagwanpur P.S. Case No. 266 of 2024 registered for the alleged offences under Sections 329(3), 126(2), 115(2), 118(1), 74, 352, 3(5) of B.N.S. and subsequently, Section 109(1) of B.N.S. has been added.

3. As per prosecution case, the petitioners and other co-accused persons started digging ditch over the land of the informant. When the aunt of the informant went to stop them,



petitioner Ram Pukar Singh hit him with the *Farsa* and petitioner Prabhat Kumar gave a *Bhala* blow. When the informant and his family members went to save her, co-accused assaulted them with lathi.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is case and counter case and in the counter version, the petitioner no. 2 has filed Bhagwanpur P.S. Case No. 265 of 2024 registered under Sections 126(2), 115(2), 117(2), 125(a), 76, 352 of B.N.S., wherein the present informant and his family members have been made accused. The petitioners have also received injury in the said case for which there is no explanation. The injury report of the family members of the informant shows simple injury which are merely abrasion and pain. The injury report of aunt of the informant shows grievous injury but neither dimensions have been given nor nature of injury has been disclosed except saying that it is scalp swelling on the frontal region of head. The allegation against the petitioners for causing injury is by *Farsa* and *Bhala*, respectively but such injuries have not been observed in the report. The petitioners are in custody since 29.06.2025 and charge sheet has been submitted. The petitioners are having



clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that the aunt of the informant received grievous injury as it is a fracture of frontal bone and the injury is on the vital part of the body.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of any sharp cut injury as alleged in the FIR and further considering the period of custody of the petitioners, their clean antecedent and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai/concerned Court in connection with Bhagwanpur P.S. Case No. 266 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present



on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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