

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59557 of 2025

Arising Out of PS. Case No.-156 Year-2025 Thana- HUSSAINGANJ District- Siwan

1. Bharat Ram S/O Late Bhola Ram Resident of vill.- Gopalpur Tola Birti, P.S.- Hussainganj, Dist.- Siwan
2. Shailesh Ram S/O Bharat Ram Resident of vill.- Gopalpur Tola Birti, P.S.- Hussainganj, Dist.- Siwan
3. Dharmendra Ram S/O Late Vriksha Ram @ Rambriksh Ram Resident of vill.- Gopalpur Tola Birti, P.S.- Hussainganj, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, petitioner no. 1 assaulted on the head of Dhrup Ram, petitioner no. 2 assaulted on the head of Deepak Ram with *farsa* and petitioner no. 3 assaulted Chandrawati Devi with *daab*. Injuries sustained by Dhrup Ram and Deepak Ram are found to be grievous.

4. Learned counsel appearing for the petitioners are innocent and have committed no offence. Case and counter case.



F.I.R. has been lodged after inordinate delay of four days and there is no explanation for the same which itself creates doubt over veracity of the prosecution case. He further submits that admittedly altercation took place due to land dispute between the parties. Petitioner no. 1 is aged about 75 years. Injury, allegedly, caused by petitioner no. 3 is simple in nature. Petitioners claim clean antecedent.

5. Learned counsel for the State vehemently opposed the bail application and submitted that petitioner nos. 1 & 2 caused grievous injuries to Dhrup Ram and Deepak Ram.

6. In view of the fact that petitioner nos. 1 & 2 caused grievous injury, **prayer for anticipatory bail of petitioner nos. 1 & 2 is refused.**

7. However, considering the nature of accusation and simple injury, the **anticipatory bail with regard to petitioner No. 3 is allowed** and it is ordered that the above named petitioner No. 3 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Siwan in connection with Hussainganj P. S. Case No. 156 of 2025, subject to



condition as laid down under Section 482 (2) of the Bharatiya
Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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