

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68867 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- BARAHRI District- Rohtas

1. Bansh Narayan Singh @ Bhanj S/O Bashishth Singh Resident of Village- Mau Dihra, P.S.- Barahari, District- Rohtas at Sasaram
2. Mohan Singh @ Mohan Raut S/O Harishankar Singh @ Harishankar Raut Resident of Village- Mau Dihra, P.S.- Barahari, District- Rohtas at Sasaram
3. Rajesh Kumar Singh @ Rajesh Raut @ Rajesh Singh S/O Harishankar Singh @ Harishankar Raut Resident of Village- Mau Dihra, P.S.- Barahari, District- Rohtas at Sasaram
4. Vijay Singh @ Vijay Kumar Singh @ Khalasi S/O Shankar Singh Resident of Village- Mau Dihra, P.S.- Barahari, District- Rohtas at Sasaram
5. Gunjan Singh S/O Shankar Singh @ Harishankar Singh Resident of Village- Mau Dihra, P.S.- Barahari, District- Rohtas at Sasaram
6. Jhum Kumar Singh @ Jhabbu Singh S/O Shankar Singh Resident of Village- Mau Dihra, P.S.- Barahari, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K Sinha, Sr. Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Babu Nandan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-09-2025 Heard Mr. D.K Sinha, learned senior counsel for the petitioners, Mr. Bhanu Pratap Singh learned Additional Public Prosecutor for the State and Mr. Babu Nandan Prasad, learned counsel for the Informant.

2. The petitioners are apprehending their arrest in connection with Barahari P.S. Case No. 24 of 2025, F.I.R. dated 31.05.2025 for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyay Snahita,



2023.

3. According to prosecution case, the informant alleged that upon information that some persons were dumping soil over his land with intention to grab it, when he went there and asked them about it, the petitioners started abusing him and when the informant protested then the accused persons assaulted him by means of iron rod.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. It appears from the FIR that due to land dispute the present occurrence has taken place and apart from that the alleged date of occurrence is 29.05.2025 but the FIR has been lodged on 31.05.2025 i.e. after delay of two days without giving any reason of delay. Although the informant received two injuries but from bare perusal of injury report it appears that one injury is simple and other is grievous due to dislocation of RT shoulder joint which is not vital part of the body.

5. The learned Additional Public Prosecutor as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioners on the ground that there is direct and specific allegation against the petitioners that they have assaulted the informant but fairly submits that there is no



specific allegation against them and apart from that petitioner nos.1, 2 and 3 have clean antecedent and petitioner nos.4,5 and 6 have one criminal antecedent other than the present one and they are on bail in the pending matter

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Barahari P.S. Case No. 24 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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