

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75573 of 2025

Arising Out of PS. Case No.-390 Year-2021 Thana- RAJAON District- Banka

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1. Pappu Das, Son of Vishu Harijan, R/o Village - Kadhoun, P.S. - Rajoun, District - Banka.
 2. Rahul Kumar Son of Sudhir Harijan, R/o Village - Kadhoun, P.S. - Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-11-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Rajoun P.S. Case No.390 of 2021 registered for the offences punishable under Sections 341, 323, 307, 325, 504 and 506/34 of the Indian Penal Code.

3. On the fateful day, the petitioners along with other accused persons came and started abusing and assaulting the informant and his brother. It is specifically alleged that petitioner no.1 gave a lathi blow on the hand of the brother of the informant, due to which his hand was broken. There is further allegation that petitioner no.2 along with others abused



the informant and his family members.

4. Learned Advocate for the petitioners contended that on account of a previous enmity, the parties were entered into scuffle, resulting into some unfortunate injuries. However, the petitioners are the men of fair antecedent and one of the co-accused persons, namely, Sanjeev Das has been granted anticipatory bail by a Bench of this Court in Cr. Misc. No.49986 of 2022 vide order dated 27.02.2023 itself. It is further contended that though the impugned order suggests the doctor has found fracture of radius left during X-ray of left forearm, but it has not been disclosed as to whether it is grievous or simple in nature.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that once the brother of the informant has sustained fracture injury, there is no iota of confusion that the same is grievous in nature. Moreover, the FIR came to be instituted in the year 2021 and the petitioners have approached this Court in the year 2025, that too when the prayer for bail of the petitioners came to be negated in the year 2022 itself.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of



the specific accusation of causing lathi blow upon the petitioner no.1, resulting into fracture injury to the brother of the informant, besides the delay in approaching this Court, this Court is not acceded to the prayer for anticipatory bail of petitioner no.1. Accordingly, his prayer is rejected.

7. So far the petitioner no.2 is concerned, taking note of his limited role and only accusation of abusing, besides his fair antecedent, let the petitioner no.2, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No.390 of 2021, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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