

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69027 of 2025

Arising Out of PS. Case No.-52 Year-2019 Thana- PIPRIYA District- Lakhisarai

1. Shyam Sundar Kumar @ Banti S/O Arun Singh Resident of village -Ramchandrapur, P.S- Pipriya, District - Lakhisarai
2. Ram Kishore Kumar S/O Arun Singh Resident of village -Ramchandrapur, P.S- Pipriya, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-11-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Pipriya P.S. Case No.52 of 2019 registered for the offences punishable under Sections 341, 323 and 307/34 of the Indian Penal Code.

3. While the informant along with his family members were going to another house, in the meanwhile, the petitioners along with other co-accused persons intercepted and brutally assaulted him and his family members by means of *khanti* and *kudal*. There is further allegation that petitioner no.2 caused injury over the eye of one Chitrarekha by means of a spade,



whereas petitioner no.1 assaulted the informant on his head by means of a butt of the pistol.

4. Learned Advocate for the petitioners submitted that the entire prosecution case falls to the ground for the simple reason that the police after investigation did not find the case true and as such the petitioners were not sent up for trial. However, differing with the final report, the learned jurisdictional court took cognizance for the offences under Sections 341, 323, and 308/34 of the Indian Penal Code. It is further contended that the injuries, which are allegedly sustained to the informant and others, have been found to be simple in nature. Moreover, the petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and considering the fact that the petitioners were not sent up for trial, however, differing with the final report, the learned jurisdictional court, took cognizance for the offences under Sections 341, 323, and 308/34 of the Indian Penal Code, besides the fair antecedent of



the petitioners, let the above named petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Lakhisarai in connection with Pipriya P.S. Case No.52 of 2019, 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 petitioners.

(Harish Kumar, J)

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