

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74317 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- MAGADH UNIVERSITY District- Gaya

1. Jitendra Das @ Jitendra Kumar Das S/O Raj Rupan Das @ Rupan Das Resident of Village- Bahiradih, P.S.- Magadh University, District- Gaya.
2. Raj Rupan Das @ Rupan Das S/O Late Kailu Das Resident of Village- Bahiradih, P.S.- Magadh University, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Magadh University P.S. Case No. 134 of 2025 instituted for the offence under Sections 190, 191(2), 126(2), 352, 351(2), 115(2), 109(1), 74, 324(4), 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on 30.05.2025 at about 04:00 PM, petitioner No.1 and his father petitioner No.2 demanded ₹1000/- for liquor from informant Umesh Das, and on refusal, they along with others assaulted him and his family with weapons, causing injuries, damaged his



shop, and looted Rs 1100/-.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 20.06.2025. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case due to land dispute. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have no concern with the alleged occurrence. There is case and counter case between the parties bearing Magadh University PS Case No. 141 of 2025, which is lodged by the wife of petitioner No.2. Injury of the informant is opined to be simple in nature by the doctor.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is submitted that petitioner No.1 assaulted the informant by means of *tangi* on his head due to which he sustained injury.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and there being case and counter case between the parties, this Court is inclined to grant bail to the petitioners.



8. Let the petitioner No.1 be released on bail, *after framing of charge, if not already framed*, whereas petitioner No.2 be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Magadh University P.S. Case No. 134 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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