

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75217 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- WAJIRGANJ District- Gaya

1. Purushottam Kumar @ Purvshottam Kumar S/o Rajoo Yadav @ Rajendra Prasad R/o Village - Kusumhar, P.S - Wazirganj, District - Gaya
2. Siya Saran Yadav @ Siya Saran Prasad S/o Ram Prasad Yadav R/o Village - Kusumhar, P.S - Wazirganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-11-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Wazirganj P.S. Case No. 148 of 2025 dated 17.03.2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 126, 115(2), 109, 329(3), 303(2), 74, 76, 352 and 351(2) of the B.N.S., 2023.

3. Allegedly, on the fateful day, when the informant was at her home, in the meanwhile, all the 15 named accused persons including the petitioners variously armed with *lathi*, *danda* and iron-rod came there and brutally assaulted her. In the meantime, when son of the informant came to her rescue, petitioner no. 1 assaulted him over his head by means of iron-



rod. The daughter-in-law of the informant was further assaulted by petitioner no. 2 due to which both of them have sustained serious injuries.

4. Learned Advocate appearing on behalf of the petitioners submitted that from the narratives made in the FIR, it is contended that the genesis of the occurrence is nothing but the land dispute. Prior to the institution of this case, petitioner no. 1 has also filed an informative petition before the Chief Judicial Magistrate as it is the informant's side who wanted to capture the land of the petitioners. There is counter version bearing Wazirganj P.S. Case No. 162 of 2025. Moreover, the injury allegedly sustained by the son and daughter-in-law of the informant are found to be simple in nature. To support the aforesaid contention, the injury report has been placed on record as Annexure-3. The petitioners bear fair antecedent and they undertake that they will fully cooperate with the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submitted that the petitioners have actively participated in the crime and assaulted the injured persons.

6. Regard being had to the submissions advanced



by the learned Advocates for the respective parties and considering the simple nature of injury coupled with the fair antecedent of the petitioners, let the petitioners, above-named, be released on bail, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt / production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court of D.A.S.J.-X, Gaya, in connection with **Wazirganj P.S. Case No. 148 of 2025**, subject to the conditions laid down in Section 482(2) of the B.N.S.S., 2023, with the further condition that one of the bailors shall be the own / close family members of the petitioners.

(Harish Kumar, J)

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