

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73541 of 2025

Arising Out of PS. Case No.-257 Year-2025 Thana- RAMGARHWA District- East
Champaran

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1. Rajeev Kumar @ Rajeev Kumar Gupta S/O Surendra Prasad R/O Village- Ramgarhwa Bazar, P.S- Ramgarhwa, Distt.- East Champaran.
 2. Sanjeev Kumar S/O Surendra Prasad R/O Village- Ramgarhwa Bazar, P.S- Ramgarhwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard the learned counsel for the petitioners and the
learned Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in connection with Ramgarhwa P.S. Case No. 257 of 2025, dated 13.07.2025, registered under Sections 126(2), 115(2), 117(2), 109, 303(2), 74, 352, 351(2) and 3(5) of the B.N.S.

3. The prosecution case, in brief, is that the informant Ravi Raj has an ancestral house over the half of his land in Ramgarhwa Market. On which, the informant was getting his house constructed. Later on, on the alleged date of occurrence i.e. on 08.07.2025 at around 08:00 A.M., the informant's own



pattidar i.e. the accused petitioners Rajeev Kumar and Sanjeev Kumar including co-accused Pradeep Kumar along with 5-7 other unknown persons in collusion with armed and deadly weapons came over on the newly constructed house of the informant and as soon as they came, all of them abused him and said that we had asked to leave the house and you are getting a school building. Today, we have to treat him. On this, the accused petitioner Rajeev Kumar is alleged to have assaulted the informant with an intention to kill him and inflicted a bamboo hit over his forehead, due to which he sustained injury over his forehead and blood started oozing out. It is further alleged that, when the informant's mother Babita Devi came to save him, accused petitioner Sanjeev Kumar is alleged to have inflicted a bamboo blow over her head with an intention to kill her. Thereafter, co-accused Pradeep Kumar is alleged to have dragged the informant mother on the ground and all the accused persons started hitting her indiscriminately with bamboo stick and rod, due to which her waist bone and front hip bone broke and she fell down on the spot. Co-accused Pradeep Kumar is alleged to snatched a gold chain and ear ring from the informant's mother. People from vicinity came and took the informant's mother to Ramgarhwa Health Center, from where



she was referred to Sadar Hospital, Motihari.

4. Learned counsel for the petitioners submits that direct allegation of pushing the mother of the informant is against co-accused Pradeep Kumar, due to which she has received injury on her left lower heap. Allegations levelled against the petitioners are general and omnibus. The co-accused namely Pradeep Kumar, who is said to have injured the mother of the petitioner has been granted regular bail by a Coordinate Bench of this Court vide order dated 10.09.2025, passed in Cr. Misc. No. 62565 of 2025. It has next been submitted that these petitioners have no intention to commit the offence which is alleged in the F.I.R., rather it occurred in the spur of moment. Both the parties are agnates and have existing land dispute.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts that direct allegation of pushing the mother of the informant is against co-accused Pradeep Kumar, due to which she has received injury on her left lower heap, allegations levelled against the petitioners are general and omnibus, co-accused namely Pradeep Kumar, who is said to have injured the mother of the petitioner has been granted regular bail by a Coordinate Bench of this Court and both the parties are agnates and have existing land dispute, let the above named



petitioners, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 S.D.J.M., Raxaul at Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 257 of 2025, subject to the condition as laid down under Section 482 of the B.N.S. as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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