

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76172 of 2025

Arising Out of PS. Case No.-338 Year-2025 Thana- KISHANGANJ District- Kishanganj

1. Vikram Kumar @ Vikram S/O Gopi Maraiya R/O Village- Singhia Chowk, P.S- Kishanganj, Dist- Kishanganj.
2. Binod S/O Gopi Maraiya R/O Village- Singhia Chowk, P.S- Kishanganj, Dist- Kishanganj.
3. Gulzar @ Gulzar Alam S/O Manzar Alam R/O Village- Singhia Chowk, P.S- Kishanganj, Dist- Kishanganj.
4. Guddu @ Jakir S/O Gaffar @ Gaffur R/O P.S- Kishanganj, Dist- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Kishanganj P.S. Case No. 338 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 117(2), 109(1), 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioners brutally assaulted the son of the informant, causing a number of injuries to him.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. The dispute arose over delivery of grill between the co-accused Bikesh and the informant as the informant failed to deliver the same within stipulated time after taking full consideration amount. The name of petitioners have been given in some confusion as they were also present at the place of occurrence being friends of co-accused Bikesh Kumar and the petitioners have, otherwise, no concern with the present dispute, Learned counsel further submits that the parties have settled their matter and a compromise has been recorded. Learned counsel further submits that the prosecution case is doubtful as the FIR was lodged after delay of two days without any explanation. The petitioner nos.1, 3 and 4 are having clean antecedent whereas petitioner no. 2 is having antecedent of one case in which he has been acquitted. The petitioners are in custody since 20.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the son of the informant has received a number of injuries on his shoulder, cervical region, temporal region and temporo parietal region.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj/court concerned in connection with Kishanganj P.S. Case No. 338 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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