

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 76491 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- RAJEPUR District- East Champaran

1. Ritik kumar S/O Sanjay Kumar Resident of village- Kashipakri, P.S.- Rajepur, Dist.- East Champaran
2. Amit Kumar S/O Vinay Kumar Resident of village- Kashipakri, P.S.- Rajepur, Dist.- East Champaran
3. Mukul Kumar S/O Vinay Kumar Resident of village- Kashipakri, P.S.- Rajepur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Abhishek Kumar, Hansha Shaswat, Advocates
For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR JUSTICE AJIT KUMAR

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioners and the learned APP for the State.

2 The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 126 (2), 115 (2), 118 (1) 109, 303 (2), 352, 351 (2), 3 (5) of the BNS, 2023.

3 The case of prosecution, in brief, as per the fardbeyan dated 12.02.2025 at about 15.00 pm of informant Subodh Kumar Singh before the SI Prakash Kumar Paswan at SKMCH OP Muzaffarpur is that on 09.02.2025 at about 06.00 pm when he was returning home from Deara Chowk Ramnagar



Bazar, accused Sanjay Kumar, Vinay Kumar, Amit Kumar, Mukul Kumar and Ritik Kumar stopped him and started abusing him. When the informant opposed the same, they slammed him on the ground with intention to kill him and accused Vinay Kumar assaulted him with fat over his mouth due to which his teeth got broken and accused Sanjay Kumar assaulted the informant with knife which caused injury on his chin and, thereafter, all the accused persons assaulted him due to which he received injury. During course of assault, the accused persons snatched his gold chain and Rs. 3000/- from his pocket.

4 Learned counsel for the petitioners submits that specific allegation of assault is levelled against co-accused Vinay Kumar who is said to have assaulted the informant causing injury in his teeth and co-accused Sanjay Kumar who is said to have assaulted the informant by means of knife causing injury on his chin. Allegation against the petitioners is general and omnibus and no weapon is said to have been used by these petitioners and in order to exert pressure on the petitioners to resolve the existing land dispute, they have been roped in for malicious reason. It is next submitted that both the parties are agnates.

5 Considering the fact that direct allegation of assault



is against co-accused Vinay Kumar and Sanjay Kumar, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

6 Let the petitioners abovenamed, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of this order, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Motihari, East Champaran in Rajepur PS Case No 31 of 2025 subject to all conditions as laid down in Section 482 of the BNSS, 2023 and also the following conditions:

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

(ii) The petitioners 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 their bail bonds by the trial Court itself;

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

(iv) The petitioners 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.*

7 This application is allowed.

(Ajit Kumar, J)

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