

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81672 of 2025

Arising Out of PS. Case No.-373 Year-2024 Thana- NOORSARAI District- Nalanda

1. Deelip Prasad S/O late Ramjee Mahto R/O Vill.- Makanpur, P.S.- Noorsarai, Dist.- Nalanda
2. Sanjeev Kumar @ Sanjiv Kumar S/O Deelip Prasad R/O Vill.- Makanpur, P.S.- Noorsarai, Dist.- Nalanda
3. Raghubir Kumar S/O Deelip Prasad R/O Vill.- Makanpur, P.S.- Noorsarai, Dist.- Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Noorsarai P.S. Case No. 373 of 2024 registered for the alleged offences under Sections 127(1), 127(2), 117(2), 118(2), 109, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the allegation against the petitioner and other co-accused persons is for making an attempt on the life of the brother of the informant with stone and knife. The occurrence took place in the background of relationship of the brother of the informant with daughter of the petitioner no. 1



who has since been married.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific allegation of assault against the petitioners and the informant is not an eye witness. Nothing incriminating has been recovered from person or possession of these petitioners. The entire case rests upon the uncorroborated statement of the informant. No genuine report for injury has been produced. Learned counsel further submits that, in fact, despite marriage of the daughter of petitioner No. 1, the brother of the informant continued to interfere in their marital life, which led to a dispute and under a conspiracy, the whole family of the petitioners have been made accused. Learned counsel further submits that the wife of the petitioner no. 1 has filed a complaint case resulting in FIR No. 239 of 2025 against the informant side under Sections 363, 366 of IPC and Sections 4 & 6 of the POCSO Act. The petitioners are having clean antecedent. The present case is counterblast. The petitioners are having clean antecedent and they are in custody since 22.08.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioners and further considering the period of custody of the petitioners and their clean antecedent 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 Judicial Magistrate 1st Class, Nalanda at Bihar Sharif in connection with Noorsarai P.S. Case No. 373 of 2024, 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)

Ashish/-

U		T	
---	--	---	--

