

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81251 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- SIRISIYA District- West Champaran

1. Amar Ram Son of Chandi Ram R/o Village- Lachhuchhappar, Khairwa Tola, P.S.- Chanpatia, District- West Champaran
2. Jitendra Kumar @ Jitendra Ram Son of Chandi Ram R/o Village- Lachhuchhappar, Khairwa Tola, P.S.- Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Adv.

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Sirisiya P.S. Case No.4 of 2025 registered for the offences punishable under Sections 121, 121(A), 122, 126(2), 115(2), 118, 109, 74, 352, 351(2) and 3(5) of the BNS, 2023.

3. In the evening of the fateful day, while the informant along with his parents were sitting at their *Darwaja*, in the meanwhile, eleven named accused persons, including the petitioners variously armed came there and stated assaulting. There is specific allegation that on the exhortation made by petitioner no.1, petitioner no.2 along with co-accused Basant Ram assaulted the informant by means of *farsa* over his head.



Subsequently, the other two accused persons also assaulted the informant with stick over his head and other accused persons assaulted the parents of the informant, due to which all of them sustained serious injuries. Besides the aforesaid allegations, the informant also alleged regarding snatching of valuables.

4. Learned Advocate for the petitioners taking this Court through the FIR has contended that the alleged occurrence took place on 01.01.2025; however, the present FIR came to be instituted on 05.01.2025 without any plausible explanation for delay. Moreover, the informant allegedly sustained injury by *farsa* and other weapons at the hands of petitioner no.2 and various other accused persons; however, the injury report does not corroborate the allegation. On instruction, it is submitted that the injury sustained to the informant is simple in nature. The false implication of the petitioners in the present case is also writ large that they were earlier also implicated in four other cases at the hands of the parents and other family members of the informant, but in all the cases, the police have not sent up the petitioners for trial, on being found no material against them.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the



statement of the petitioners regarding simple nature of injury is required to be verified.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the accusation against the petitioners, coupled with the delay in lodging of the FIR as well as the fact that in all the cases previously instituted by the parents of the informant, the petitioner was not sent up for trial on account of having been found no material, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Sirisiya P.S. Case No.4 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

rohit/-

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

