

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.81622 of 2025**

Arising Out of PS. Case No.-1041 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Raj Ritik @ Guddu Son of Kamlesh Prasad Resident of Village - Lakhanpur, P.S.- Mufassil, District - Gaya.
2. Gaurav Kumar @ Sintu Son of Kamlesh Prasad Resident of Village - Lakhanpur, P.S.- Mufassil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr.Vishwa Ranjan Choudhary, Adv. |
| For the State        | : | Mr.Md. Matloob Rab, APP          |
| For the Informant    | : | Mr. Shailesh Kumar, Adv.         |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

**ORAL ORDER**

2      10-12-2025                      Heard learned Advocate for the petitioners and learned Additional Public Prosecutor for the State as well as the learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 1041 of 2024 , registered for the offences punishable under Sections 126(2), 115(2), 352, 303(2), 324, 109, 351(2), 3(5) of the BNS.

3. Allegedly, on the fateful day, on account of a dispute as has arisen due to parking of bike, both the petitioners have assaulted the mother of the informant. When the informant came to her rescue, he was also assaulted at the hands of the petitioners due to which he sustained serious injuries. There is further allegation that the petitioners also crushed the mobile phone of the informant, besides the allegation of causing assault to other family members.



4.Learned Advocate for the petitioners submits that the present case is nothing but a counter blast to Muffasil P.S. Case No. 1040 of 2024 instituted by the members of the petitioners' side when the informant and his family members are trying to grab the land of their family and the present case is nothing but instituted in order to save their skin. Moreover, the injury which is allegedly sustained to the informant, the same has been found to be simple in nature. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the bail application and submitted that because of assault being made by the petitioners, the informant has sustained five injuries over his body and most of them are on vital part, however, he was fortunate enough that he anyhow survived. They further submit that the witnesses also supported the prosecution case.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and counter case, coupled with the simple nature of injury, besides the fair antecedent of the petitioners, let the petitioners abovenamed be released on bail, in the event of their arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 1041 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition:

(i) that one of the bailors shall be the own/close family members of the petitioners,

(ii) that the petitioners would not indulge in intimidating the witnesses/informant or tampering with the evidence, and

(iii) that in case, the petitioners shall be found indulge in intimidating the informant/witnesses or tampering with the evidence, the informant shall be at liberty to file an application for cancellation of the bail of the petitioners.

**(Harish Kumar, J)**

Anjani/-

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