

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80898 of 2025

Arising Out of PS. Case No.-612 Year-2025 Thana- AMARPUR District- Banka

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1. Rakesh Roshan @ Buddhu Singh S/o Vindeshwari Singh R/o Village - Kenduar, P.S - Amarpur, District - Banka
 2. Divyansh Kr. Singh @ Papu Kumar @ Davyansh Kumar S/o Rakesh Roshan @ Buddhu Singh R/o Village - Kenduar, P.S - Amarpur, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2025 At the outset, learned Advocate for the petitioners submits that during the pendency of the present application, the petitioner No. 1 got arrested and, as such, he is not pressing the bail application on his behalf.

2. Heard the parties.

3. The petitioner No. 2 is apprehending his arrest in connection with Amarpur P.S. Case No. 612 of 2025 (G.R. No. 3119 of 2025), registered for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 308(3) and 3(5) of the BNS.

4. Allegedly, the petitioners used to demand *rangdari* and had been following the informant for few days. On



03.09.2025, the accused persons dragged the informant in the orchard and assaulted him by means of spade and iron rod due to which he sustained serious injuries. There is further allegation that the petitioners have also snatched golden chain and Rs. 7,000/-. On account of assault having been made, it is alleged that both the hands of the informant got broken.

5. Learned Advocate for the petitioner No. 2 submitted that in fact on account of a dispute as has arisen while the children of both the parties were playing, both the parties entered into a free fight which resulted into some unfortunate injuries to the persons of both the sides. The aforesaid incident also led to institution of case and counter case bearing Amarpur P.S. Case No. 618 of 2025 instituted against the informant and others by petitioner No. 1. The injury which is allegedly sustained to the informant, the same appears to be grievous in nature on account of fracture in left ulna, however, the same has not been specifically attributed to petitioner No. 2, besides it is on non vital part. The petitioner No. 2 bears fair antecedent and undertakes that he will fully cooperate in the proceeding of the court.

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



because of assault made by the petitioner No. 2, the informant has sustained a fracture injury, which is found to be grievous.

7. Regard being had to the submissions made on behalf of the parties and considering the genesis of occurrence, coupled with the omnibus nature of allegation against two persons resulting into one grievous injury, however, on non vital part, besides the fair antecedent of petitioner No. 2, let the petitioner No. 2 abovenamed be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 612 of 2025 (G.R. No. 3119 of 2025), subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner No. 2.

(Harish Kumar, J)

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