

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81827 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- MUFFASIL District- Aurangabad

1. Vicky Kumar @ Vikesh Kumar S/O Lalan Ram R/O Village- Dhandhwa Tola, Ismail Bigha, P.S- Muffasil, Distt.- Aurangabad (Bihar).
2. Kamlesh Ram @ Kameshwar Ram S/O Saryu Ram R/O Village- Dhandhwa Tola, Ismail Bigha, P.S- Muffasil, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-12-2025 At the outset, learned Advocate for the petitioners seeks permission to make necessary correction in paragraph no.3 of the bail application, in course of the day.

2. Permission is accorded.

3. Heard the parties.

4. The petitioners are apprehending their arrest in connection with Aurangabad (Muffasil) P.S. Case No. 287 of 2025 registered for the offences under Sections 126(2), 115(2), 352, 351(2), 109(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. Allegedly, while the informant went to attend the nature's call, in the meantime, he was surrounded by the petitioners along with other accused persons. The petitioners



along with others said to have been assaulted the informant by means of *Lathi*, *Danda* and *Iron rod*, due to which he sustained serious injury.

6. Learned Advocate for the petitioners submitted that the parties are villagers and on account of trifle, they entered into a quarrel, leading to institution of the case and counter case, bearing Aurangabad (Muffasil) P.S. Case No. 286 of 2025, instituted against the informant and others. So far the injury, which is allegedly sustained to the informant is concerned, the same has been found to be simple in nature. To support the aforesaid contention, the injury report has been brought on record, as Annexure-P/3 to the application. The petitioners though have carrying one criminal antecedent, however, they are on bail in the said case.

7. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners have actively participated in the crime and assaulted the informant.

8. Regard being had to the submissions made on behalf of the parties and taking note of the omnibus nature of allegation, coupled with the case and counter case, as also the simple nature of injury, let the petitioners, named above, in the



event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 287 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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