

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81464 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- ATRI District- Gaya

1. Anish Kumar S/o- Vipin Singh R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya
2. Vivek Kumar S/o- Vipin Singh R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya
3. Abhishek Kumar S/o- Vipin Singh, R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya
4. Gautam Kumar S/o- Ramji Singh, R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya
5. Purushottam Kumar @ Sharwan Kumar, S/o- Ramji Singh R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya
6. Ramji Singh S/o- Ambika Singh R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya
7. Akhilesh Singh S/o- Ambika Singh, R/v- Bikaypur, P.S.- Atri Chowk, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Atri P.S. Case No. 331 of 2025 registered for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 117(2), 109, 74, 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the informant along with his family members were at home, in the meanwhile, the



petitioners along with others variously armed barged into the house of the informant and started abusing, though the informant apologized with the accused persons, but the accused persons assaulted him by means of *Farsa*. It is specifically alleged that Anis Kumar, Vivek Kumar and Abhishek Kumar assaulted the informant by means of *Farsa*, due to which he sustained head injury. In the meanwhile, the brother of the informant and his servant came to his rescue, whereupon Gautam Kumar assaulted with the Butt of pistol and Purushottam Kumar with *Farsa*, Akhilesh Singh and Ramji Singh assaulted them by means of *Garasa* and *Khanti*, due to which both of them sustained serious injuries. There is further allegation against the petitioners and others of misbehaving with the daughter-in-law of the informant and causing assault to them.

4. Learned Advocate for the petitioners referring to the F.I.R. contended that on account of previous dispute, the parties entered into a free fight, resulting into injuries to the persons of both sides. So far the injury, which is allegedly sustained to the informant and his servant are concerned, the same have been found to be simple in nature. So far the injury sustained to the brother of the informant, namely, Ram Balak



Singh, is concerned, though the same is found to be grievous in nature, but has not been specifically attributed against any of the petitioner, rather omnibus nature of allegation has been levelled. The parties are next door neighbour and because of instigation made by some unscrupulous persons, they entered into a free fight, however, the petitioners undertake that they will fully cooperate in the proceeding of the court and would not indulge in such type of activities in future. It is lastly contended that be that as it may the petitioners have got fair antecedent.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that in the aforementioned incidence three persons have sustained injuries and one of them is found to be grievous in nature and, as such, the petitioners do not deserve the anticipatory bail.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the nature of accusation as well as the injury, which is sustained to the brother of the informant and is not specifically attributed to the petitioners, coupled with the fair antecedent, as also the case and counter case, 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 Additional Chief Judicial Magistrate-IV, Gayaji in connection with Atri P.S. Case No. 331 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions:

(i) One of the bailors shall be the own/close relative of the petitioners.

(ii) In case, any of the petitioner shall be found indulged in intimidating and threatening the witnesses or informant, the informant and the State shall be at liberty to file an application for cancellation of bail.

(Harish Kumar, J)

uday/-

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

