

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83153 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- LALGANJ District- Vaishali

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1. Umesh Das Son of Late Daroga Das Resident of Village- Poshiya, P.S.-
Lalganj, District- Vaishali
 2. Bittu Kumar Son of Late Mahesh Das Resident of Village- Poshiya, P.S.-
Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-12-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioners are apprehending their arrest in
connection with Lalganj P.S. Case No. 91 of 2025, registered for
the offences punishable under Sections 115(2), 303(2), 329(3),
126, 329(3), 126, 329(4), 109, 75 and 3(5) of the Bharatiya
Nyaya Sanhita.

3. In the evening of the fateful day while the
informant was at his door, in the meanwhile, all the FIR named
accused persons including the petitioners variously armed came
there and started assaulting. It is specifically alleged that
petitioner no. 1 assaulted the informant over his head and hand



by means of iron rod, due to which he sustained serious injury. When the brother of the informant came there, he was assaulted by petitioner no 2 over his head by means of iron rod, due to which he also sustained injury. There is further allegation against other accused persons of causing assault and snatching valuables from the family members of the informants.

4. Learned Advocate appearing on behalf of the petitioners submitted that so far the injury which is allegedly attributed to the petitioner no. 1, the impugned order clearly suggest that the same has been found to be simple in nature. So far the injury which is allegedly sustained to the brother of the informant, the same appears to be 2cm x 2cm x muscles deep on mid of the forehead, however, the nature of the injury is reserved and, as such, *prima facie* it appears to be simple in nature. The petitioners are men of fair antecedent and the reason behind the said occurrence is said to be a previous dispute.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the corresponding injuries sustained to the informant and his brother, clearly suggest the complicity of the petitioners in the crime. Moreover, nature of one of the injury has not been finally disclosed.

6. Having considered the submissions advanced by



learned Advocate for the respective parties and taking note of the accusation against the petitioner *qua* the injury besides the fair antecedent of the petitioners, let the petitioners above named 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) with two sureties of the like amount **each** to the satisfaction of the learned chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 91 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 and it is made clear that in case if the petitioners shall be found indulged in intimidating or threatening the informant and the witness or would be found indulged in such activities, the informant and the State would be at liberty to file an application for cancellation of their bail bond.

(Harish Kumar, J)

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