

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83660 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- BANNUBAGICHA District- Lakhisarai

1. Barun Das @ Barun Kumar @ Varun Kumar @ Bhola Das S/O Mahngu Das Resident of Village- Singhaul P.S- Bannu Bagicha, Dist- Lakhisarai
2. Mahngu Das S/O Late Harkhit Das Resident of Village- Singhaul P.S- Bannu Bagicha, Dist- Lakhisarai
3. Savo Devi @ Bhavo Devi W/O Mahngu Das Resident of Village- Singhaul P.S- Bannu Bagicha, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Harun Quareshi, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Bannubagicha P.S. Case No. 71 of 2025 registered for the offences punishable under Sections 127(1), 115(2), 109, 76, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly, on the fateful night, while the informant along with her husband was returning to their house, in the meanwhile, the petitioners along with co-accused persons variously armed surrounded her husband and started demanding Rs.15,000/-. When the informant's husband enquired about the



demand, it is alleged that petitioner no.2 caught hold his neck and pulled him down, whereupon the co-accused Tarun Kumar assaulted him by means of Iron rod. It is further alleged that petitioner no.1 also repeatedly assaulted by means of Iron rod, due to which he sustained head injuries. There is further allegation of snatching the valuables.

4. Learned Advocate for the petitioners submitted that in fact on a trifle, the parties have entered into a free fight, resulting into some unfortunate injuries and leading to the institution of a case and counter case, being Bannubagicha P.S. Case No. 70 of 2025, which is on earlier point of time. The persons of petitioners' side have also sustained some injuries and one of which is grievous in nature. So far the injury, which is allegedly sustained by the informant's husband is concerned and the same has been found to be grievous in nature, is attributed to two of the accused persons, and, as such, the petitioner no.1 cannot be said to be the solely responsible. It is lastly contended that be that as it may, the petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceedings of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that



because of the assault made by the petitioner no.1 along with co-accused Tarun Kumar, the informant's husband has sustained grievous injury, as is evident from the impugned order.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the nature of accusation, this Court is not persuaded to the prayer for grant of anticipatory bail of **petitioner no.1, namely, Barun Das @ Barun Kumar @ Varun Kumar @ Bhola Das. Accordingly, the same stands rejected.**

7. It is made clear that if the petitioner no.1 surrenders before the court below preferably within a period of four weeks from today, the learned jurisdictional court shall consider the prayer for bail without being prejudiced by the order of this Court taking note of the submissions made hereinabove.

8. So far as the petitioner nos.2 and 3 are concerned, considering the nature of accusation against them, let the petitioner nos. 2 and 3, 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 Judicial Magistrate, 1st Class, Lakhisarai



in connection with Bannubagicha P.S. Case No. 71 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 petitioner nos. 2 and 3.

(Harish Kumar, J)

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