

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84308 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- ROSHANGANJ District- Gaya

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1. Alkhdev Prasad S/O Late Devnandan Mahto R/O village- Jamuayara Khurd, P.S.- Roushanganj, District- Gaya
 2. Raju Kumar @ Navin Kumar S/O Alkhdev Prasad R/O village- Jamuayara Khurd, P.S.- Roushanganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-12-2025 Heard the parties.

2. At the outset, learned Advocate for the petitioners submits at the Bar that during the pendency of the bail application, the petitioner No. 1, namely, Alkhdev Prasad got arrested and, as such, he is not pressing the application on his behalf.

3. The petitioner No. 2 apprehends his arrest in connection with Roushangan P.S. Case No. 120 of 2024, registered for the offences punishable under Sections 127(1), 115(2), 109, 352, 351(2), 74, 329(3), 3(5) of the BNS.

4. In the morning of the fateful day, while the informant was working in her filed, in the meanwhile, nine



named accused persons, including the petitioners, variously armed with *lathi* and *danda* came there and started abusing. When protest was made, the accused persons brutally assaulted the informant and her family members, due to which all of them have sustained injuries.

5. Learned Advocate for the petitioner referring to the FIR contended that besides the omnibus nature of accusation, admittedly there is a long standing land dispute between the parties, which resulted into a free fight leading to injuries to persons of both the sides and institution of case and counter case bearing Roushanganj P.S. Case No. 121 of 2024 instituted against the informant and others. So far the injury, which is allegedly sustained to the informant is concerned, though it has been taken note of by the learned District and Additional Sessions Judge, Sherghati, Gaya but surprisingly there is no discussion with regard to its nature. The petitioners have also been made accused in connection with Roushanganj P.S. Case No. 109 of 2019; however they are on bail in the said case is the contention of the learned Advocate for the petitioners.

6. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the informant and her family members have sustained injuries and



there is no discussion with regard to the nature as to whether they are simple or grievous.

7. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the omnibus nature of accusation against all the nine accused persons, including the petitioners, besides the factum of case and counter case and the genesis of the land dispute, let the petitioner No. 2, namely, Raju Kumar @ Navin Kumar 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, Sherghati, Gaya/Successor Court in connection with Roushanganj P.S. Case No. 120 of 2024, 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.

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(Harish Kumar, J)

