

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85557 of 2025

Arising Out of PS. Case No.-491 Year-2024 Thana- BHAGWANPUR HAT District- Siwan

1. Arvind Kumar S/o Ram Prasad @ Ram Prasad Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
2. Rajesh Prasad S/o Adaya Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
3. Adarsh Kumar @ Adash Kumar S/o Akhilesh Kushwaha @ Akhilesh Kumar Kushwaha R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
4. Shekhar Kumar S/o Akhilesh Kushwaha @ Akhilesh Kumar Kushwaha R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
5. Rajendra Prasad S/o Deo Narayan R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
6. Umesh Kumar @ Umesh Prasad S/o Janak Dev Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
7. Lal Babu Prasad S/o Jamdar Prasad @ Jamadar Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
8. Shankar Prasad S/o Jamdar Prasad @ Jamadar Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
9. Mosafir Prasad @ Musafir Prasad S/o Jamdar Prasad @ Jamadar Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
10. Nawal Prasad @ Nawal Kishor Prasad S/o Hargobind Prasad @ Chintaman Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan
11. Jaswant Prasad @ Jaswant Kumar S/o Surendra Singh @ Surendra Prasad R/o Village - Gopalpur, Post - Pandit ke Rampur, P.S - Bhagwanpur Hatt, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-12-2025

Heard the parties.



2. The petitioners apprehend their arrest in connection with Bhagwanpur Hatt P.S. Case No. 491 of 2024 dated 27.11.2024, registered for the offences punishable under Sections 191(2), 190, 115(2), 109, 118(1), 303(2), 352 and 351(1) of the B.N.S., 2023.

3. The accusation against the petitioners is of causing assault to the informant and his family members by means of *lathi*, *danda*, iron-rod and sharp cutting weapons due to which they sustained serious injuries.

4. Learned Advocate appearing on behalf of the petitioners taking this Court through the FIR contended that besides the omnibus nature of allegation against fifteen named accused persons including the petitioners, the alleged occurrence took place on 22.11.2024, but the FIR came to be instituted on 27.11.2024 without their being any explanation for delay. Moreover, there is a counter version of the present case bearing Bhagwanpur Hatt P.S. Case No. 492 of 2024 instituted by the mother of the petitioner no. 1 against the informant and others accused persons. In the said incidence two of the persons of the petitioners' side have also sustained grievous injuries. The petitioners undertake that they will fully cooperate in the proceeding of the Court.



5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that petitioners have brutally assaulted the informant and others and the nature of injury is kept reserved.

6. Regard being had to the submissions advanced by the learned Advocates for the respective parties and taking note of the omnibus nature of allegation besides the factum of case and counter case as well as delay in lodging of the FIR, 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. 5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with **Bhagwanpur Hatt P.S. Case No. 491 of 2024**, subject to the conditions laid down in Section 482(2) of the B.N.S.S., 2023, with the further condition that one of the bailors shall be the own / close family members of the petitioners.

(Harish Kumar, J)

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