

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86262 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- BAHERI District- Darbhanga

1. Vishal Kumar Singh, Son of Sri Ghanshyam Singh, Resident of Village- Thathopur, P.S.- Baheri, District- Darbhanga
2. Ghanshyam Singh, Son of Late Rameshwar Singh, Resident of Village- Thathopur, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate
For the State	:	Mr. Tapeswar Sharma, APP
For the Informant	:	Mr. Pramod Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have prayed for bail in connection with Baheri P.S. Case No. 77 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 76, 352, 351(2) and 3(5) of the B.N.S.

3. The case of the prosecution, in short, is that Ghanshyam Singh assaulted with *kulhari* on the head of the informant's husband due to which he received cut injury and bleeding started. Her husband fell down. It is further alleged that Vikash Kumar Singh and Vishal Kumar Singh assaulted with *Khanti* indiscriminately on the hand and stomach due to which the



right hand of the informant's husband was fractured and has also suffered injuries in his stomach. It is further alleged that when Chandan Kumar Singh and Keshav Kumar came to rescue, Vishal Kumar Singh assaulted with *Khanti* due to which he received injury on his wrist.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. From perusal of the injury report (Annexure-P/4), it is clear that the injury received by Chandan Kumar Singh is simple in nature whereas the injury received by Om Prakash Singh, husband of the informant is concerned, it has been submitted that only one injury was found by the doctor i.e. laceration of size 7cm x 2cm x 1cm over right parietal region of scalp. X-ray of right shoulder, X-ray of Abd and X-ray of abdomen was advised. The doctor has opined that the nature of injury is grievous but the same is caused by hard and blunt object. It has also been submitted that from perusal of this injury report (Annexure-P/5), it is not clear as to which injury is grievous. It has further been submitted that there is also a counter version of this case and counter version of this case for the occurrence of the same day and in the last part of the counter version, it is stated that the victims of the case were admitted in hospital, Dehri and from there they were referred to



D.M.C.H. It has also been submitted that there has been free fight between the parties. There is land dispute between the parties and in the occurrence, both sides have received injuries. From perusal of the F.I.R. it is clear that there is general and omnibus allegation against Vishal Kumar Singh and Vikash Kumar Singh that they have assaulted with *Khanti* to the husband of the informant on his stomach and right hand. From perusal of the injury report of Om Prakash Singh, it is clear that laparotomy was done on 27.02.2025 for bowel perforation. It was ileal perforation 50cm proximal to IC Junction. Primary repair was done. Patient discharged in stable condition on 10.03.2025 but from the F.I.R., it is not clear as to who has caused injury to Om Prakash Singh on his stomach. Moreover, there has been free fight and both parties have received injuries. They are languishing in judicial custody since 03.10.2025.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant has submitted that in this case, the injuries caused by Vishal Kumar Singh are grievous.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Darbhanga in connection with Baheri P.S. Case No. 77 of 2025.

(Ashok Kumar Pandey, J)

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