

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88470 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- GADHPURA District- Begusarai

Arvind Kumar @ Arvind Kumar Rai @ Arvind Kumar Roy @ Arvind Rai,
Male, aged 64 years, Son of Late Nandan Rai, Resident of Village -
Kumharson, Ward No.13, P.S. - Gadhpura, District - Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shubhesh Pandey, Advocate
For the Informant	:	Mr. Uma Shankar Singh, Advocate and Mr. Dilip Kumar Roy, Advocate
For the State	:	Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 29-04-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Gadhpura P.S. Case No. 123 of 2024 dated 20.10.2024 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 117(2), 109, 74 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on 19.10.2024 at about 12.00 P.M., when the informant asked Pawan Kumar, Arvind Kumar Rai (petitioner), Pappu Kumar Rai and Pushpesh Rai to give his rightful share of the land then the accused persons dragged him into a room and tied him with the rope and Pawan



Kumar Rai assaulted him with lathi, Arvind Kumar Rai (petitioner) assaulted him with his hand, Pappu Rai assaulted him with an iron rod and Pushpesh Rai sprinkled the petrol and set fire then his wife Shobha Devi came to save him and Pushpesh Kumar assaulted her with his leg and fist in her stomach. It is further alleged that when the nearby people came there then the accused persons fled away. It is further alleged that Pappu Rai snatched golden earring and golden chain of his wife. The informant and his wife went to Gadhpura P.H.C. for their treatment on 20.10.2024 his son Anubhav Kumar went to the house of the accused persons to ask why they did so then the accused persons tied him with a rope and brutally assaulted him due to which, he received injury on hand and head. It is further alleged that all the accused persons came out of the room and closed the room then the informant 112 after that police came there and took the informant's son at P.H.C. Gadhpura for his treatment from where the doctor has referred to Sadar Hospital, Begusarai.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is the own brother of the informant. There is case and counter case between the



parties. There is also land dispute between the parties. There is general and omnibus allegation against the petitioner. There is no specific allegation against the petitioner. It is further submitted that the petitioner's side has also received injury in the said occurrence. It is further submitted that the doctor has examined the informant Suraj Rai, his son Anubhav Rai and his wife Shobha Rai and found the simple injury of the informant Suraj Rai and no any external injury on the body of the wife of the informant Shobha Rai and also found injury no. 1 is grievous in nature and injury nos. 2 and 3 are simple in nature of the son of the informant Anubhav Rai. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 23.10.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody as well as the allegation being general and omnibus against the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned



J.M. Ist Class, Begusarai in connection with Gadhpura P.S. Case
No. 123 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

