

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2735 of 2026

Arising Out of PS. Case No.-97 Year-2025 Thana- NAYA RAM NAGAR District- Munger

1. Rahul Kumar S/o- Sawan Bind Village- Raghunath Singh Tola Patam PS-
Nayaram Nagar, Dist- Munger
2. RAwan Kumar @ Raman Kumar S/o- Pawan Bind Village- Raghunath
Singh Tola Patam PS- Nayaram Nagar, Dist- Munger
3. Pawan Bind S/o- Late Vishnudeo Bind @ Late Bisun Bind @ Late Bisun
Deo Bind Village- Raghunath Singh Tola Patam PS- Nayaram Nagar, Dist-
Munger
4. Sawan Bind @ Savan Kumar S/o- Late Vishnudeo Bind @ Late Bisun Bind
@ Late Bisun Deo Bind Village- Raghunath Singh Tola Patam PS- Nayaram
Nagar, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard learned Advocate appearing on behalf of the

petitioners and the learned Additional Public Prosecutor for the

State.

2. At the outset, the learned Advocate for the
petitioners submits that during the pendency of the present case,
the petitioner no. 3 has got arrested, as such, he seeks permission
to withdraw the bail application of the petitioner no. 3.

3. Permission is accorded.

4. The petitioner nos. 1, 2 and 4 are apprehending
their arrest in connection with Nayaram Nagar P.S. Case No.



97 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 351, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. Allegation against the petitioner is of causing assault to the son of the informant by means of lathi, danda and iron rod due to which he sustained serious injuries. The petitioners also threatened the informant and his son to dire consequences.

6. Learned Advocate appearing on behalf of the petitioners submitted that in fact on account of dispute regarding some eve teasing with the daughter of the petitioner no. 3, a scuffle took place which resulted into some unfortunate injuries. Moreover, there is a counter version of the present case bearing Complaint Case No. 1009C of 2025, instituted by the wife of petitioner no. 3. From the reading of the FIR, it is evident that there is omnibus allegation against all the accused persons including the petitioners. It has not been specifically alleged that as to in what manner the petitioners have participated in the crime. So far the injuries which are allegedly sustained to the son of the informant, though, one of the injuries is grievous in nature, however, the same is on non-vital part of the body, as is evident from Annexure-P/3 of the bail application. It is lastly



submitted that the occurrence took place on 04.10.2025 but the present FIR came to be instituted on 07.10.2025, however, there is no plausible explanation for delay in lodging the FIR. Moreover, the informant is not an eye-witness to the alleged occurrence. petitioner nos. 1, 2 and 4 are men of fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

7. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the petitioner nos. 1, 2 and 4 have actively involved and brutally assaulted the son of the informant which lead to grievous injury.

8. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the delay in lodging of the FIR beside the nature of injury as well as the fact that the informant is not an eye-witness to the occurrence, besides the fair antecedent of the petitioner nos. 1, 2 and 4, let the petitioner nos. 1, 2 and 4 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.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned J.M., 1st Class, Munger, in connection with Nayaram Nagar P.S. Case No. 97 of 2025, 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.

(Harish Kumar, J)

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