

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25557 of 2026

Arising Out of PS. Case No.-223 Year-2025 Thana- GORADIH District- Bhagalpur

1. RAJNAYAK RAMAN @ GOLU Son of Rambadan Mishra Resident of village - Kalikapur, P.S.- Goradih, District - Bhagalpur
2. Sonu Mishra @ Sonu Kumar Son of Late Sudhir Mishra Resident of village - Kalikapur, P.S.- Goradih, District - Bhagalpur
3. Arun Mishra @ Arun Kumar Son of Baijnath Mishra Resident of village - Kalikapur, P.S.- Goradih, District - Bhagalpur
4. Pankaj Mishra @ Pankaj Kumar Mishra Son of Baijnath Mishra Resident of village - Kalikapur, P.S.- Goradih, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Goradih P.S. Case No. 223 of 2025, lodged on 21.08.2025, for the offences punishable under sections 126(2), 115(2), 303(2), 351(2), 74, 125(A) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against nine named accused persons including the present petitioners alleging, inter alia, that all the accused persons came



to the house of the informant, started pelting bricks and thereafter surrounded and brutally assaulted the informant by means of lathi and danda, as a result of which he sustained head injuries and started bleeding from his nose. It is further alleged that when the wife and son of the informant came to his rescue, they were also assaulted and the accused persons snatched a gold chain and cash amounting to Rs.5,000/-. Specific allegation has been levelled against petitioner nos. 3 and 4 that they were armed with sharp-cutting weapons and threatened the informant with dire consequences. The informant was initially taken to the Primary Health Centre and was thereafter referred to Jawaharlal Nehru Medical College and Hospital, Bhagalpur, for better treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel further submits that the petitioners and the informant are agnates and there is an admitted family dispute relating to three decimals of land, on account of which the occurrence is said to have taken place. It is submitted that the allegations against the petitioners are general and omnibus in nature and no specific overt act has been attributed to them except the allegation against petitioner nos. 3 and 4 regarding



extending threat. It is further submitted that the allegation of snatching the gold chain and cash has not been specifically attributed to any particular petitioner. Learned counsel submits that although the injury has been opined to be grievous, the F.I.R. does not disclose as to which of the accused caused the said injury. It is further submitted that in order to ascertain the person responsible for causing the injury, the case diary has been called for.

5. Learned APP for the State opposes the prayer for bail. However, he fairly submits that even from the case diary it is not clear as to which of the accused specifically assaulted the informant resulting in the head injury. He further submits that the allegations against the accused persons are general and omnibus in nature. He also fairly submits that the petitioners and the informant are agnates and the dispute relates to three decimals of ancestral land.

6. In the facts and circumstances of the case, let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the



satisfaction of the learned Judicial Magistrate,1st Class, Bhagalpur, in connection with the Goradih P.S. Case No. 223 of 2025, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

7. However, the petitioners are directed to file an undertaking, at the time of furnishing their bail bonds before the learned Trial Court, to the effect that they shall not involve themselves in any such dispute in future. It is made clear that, if at any stage it is found that the petitioners have involved themselves in any such dispute, the learned Trial Court shall be at liberty to cancel their bail bonds.

(Dr. Anshuman, J)

Manshi/Ashwini

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