

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41951 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- Ramgarh Chowk District- Lakhisarai

1. Ranjan Kumar @ Ravi Ranjan Kumar Son of Masudan Yadav. Resident of Village- Shekhopurwa, P.S.- Ramgarh Chowk, District- Lakhisarai.
2. Sarjan Yadav Son of Masudan Yadav Resident of Village- Shekhopurwa, P.S.- Ramgarh Chowk, District- Lakhisarai.
3. Nirmal Yadav @ Niraml Kumar So of Masudan Yadav Resident of Village- Shekhopurwa, P.S.- Ramgarh Chowk, District- Lakhisarai.
4. Masudan Yadav Son of Rajendra Yadav Resident of Village- Shekhopurwa, P.S.- Ramgarh Chowk, District- Lakhisarai.
5. Nago Yadav @ Nago Kumar Son of Rajendra Yadav Resident of Village- Shekhopurwa, P.S.- Ramgarh Chowk, District- Lakhisarai.
6. Subhash Kumar Son of Pawan Yadav Resident of Village- Shekhopurwa, P.S.- Ramgarh Chowk, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar Deo, Adv
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Abhiyanshu Ranjan, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-07-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Ramgarh Chowk P.S. Case No.65/2026 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109(1), 329(4), 324(2), 117(2), 303(2), 352 and 351(3) of the BNS and Section 27 of the Arms Act.

3. As per FIR, petitioners alleged to assault informant and others, during the course of occurrence causing head and bodily injuries, where alleged assault was made with an intention to cause death, where occurrence arises due to pity issue like grazing field by



the buffaloes.

4. It is submitted by learned counsel appearing on behalf of the petitioners that present occurrence appears free fight in nature, where both parties received injuries, therefore, it cannot be said that petitioners were under intention to cause death of the injured informant and other injured persons. It is also submitted that petitioner's side also received head and other bodily injuries for which a police case has also been registered as Ramgarh Chowk P.S. Case No. 64/2026. It is submitted that informant failed to disclose the injury received by petitioners and others during the occurrence. It is further submitted that during the occurrence mother of informant namely Gaura Devi slipped on the ground and, therefore, she received fracture injury on her thigh bone, which is non-vital part of the body. It is submitted that assault not appears repeated against petitioner no. 4, 6 and Pawan Yadav. It is submitted that there are several factors required to make out a prima-facie case under Section 109 of the BNSS like, nature of weapons, manner of assault, nature of injuries, pre and post conduct of accused during the occurrence etc. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **State of Himachal Pradesh Vs. Shamsher Singh, [2025 SCC OnLine 807]**. All above named petitioners claimed clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that petitioner



no. 4 and 6 alleged specifically to assault Gaura Devi, as a result she received grievous injury i.e., fracture of thigh bone, however he fairly conceded that occurrence was free fight in nature, where petitioner’s side also lodged a case as discussed aforesaid.

6. In view of aforesaid factual and legal submission and by taking note of fact as occurrence was free fight in nature, where both parties received injuries, coupled with the fact as petitioners claimed clean antecedent, accordingly all above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Lakhisarai/concerned Court, where the case is pending in connection with Ramgarh Chowk P.S. Case No.65/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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