IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74365 of 2026

CNR No. BRHC011090782026

Arising Out of PS. Case No.-592 Year-2025 Thana- DARAUNDA District- Siwan

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Shyam Babu Ray S/O Late Chandeep Rai Resident of vill-Rasulpur PS- Daraundha Dist.- Siwan

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Daraundha P.S. Case No. 592 of 2025, registered for the offenses punishable under Sections 126(2), 115(2), 118(2), 117(2), 109, 303, 3(5) of the B.N.S.

3. Allegedly, while the accused persons including the petitioner were forcefully constructing a boundary wall over the land of the informant and when the same was protested, it is alleged that they brutally assaulted the informant and her husband. It is specifically alleged that this petitioner assaulted the husband of the informant by means of a belcha over his head, due to which he sustained serious injuries.

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4. Learned Advocate for the petitioner, referring to the FIR, contended that the genesis of the occurrence is nothing but a land dispute which resulted into a free fight leading to injuries to persons of both sides, as also the registration of an FIR from the side of the petitioners. There is a counter version of the present case being Daraundha P.S. Case No. 593 of 2025. The allegation specifically attributed to the petitioner of causing injury over the head, in the submission of learned Advocate for the petitioner, has not resulted into any serious injury. Moreover, the husband of the informant has sustained a fracture injury over his tibia, which is not attributed to the petitioner. The petitioner bears fair antecedent and undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioner has assaulted the informant’s husband over his head, which is a vital part, besides actively participating in the crime.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of the nature of injury attributed to the petitioner, besides the delay in lodging of the FIR as well as the factum of case and counter case and the fair antecedent of the petitioner, let the petitioner

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above named be released on bail, in the event of his 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 Additional Chief Judicial Magistrate VI, Siwan in connection with Daraundha P.S. Case No. 592 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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