

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83999 of 2025

Arising Out of PS. Case No.-255 Year-2025 Thana- DIGHWARA District- Saran

1. Sudhanshu Kumar S/o- Vidhya Lal Sah Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra
2. Sandeep Kumar S/o- Late Lalan Prasad Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra
3. Vipin Kumar @ Vipin Patwa S/o- Raju Patwa Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra
4. Sunil Patwa @ Sunil Kumar Patwa S/o- Raju Patwa Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra
5. Gautam Kumar S/o- Lakshmi Prasad Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra
6. Vivek Kumar S/o- Late Mahesh Prasad Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra
7. Raja Kumar @ Vishnu Kumar S/o- Santosh Prasad Village- Shankarpur Road , P.s- Dighwara, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-01-2026 Heard the learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dighwara P.S. Case No. 255 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109 and 351(2) of the B.N.S.

3. Allegedly while the son of the informant along with his friend had gone for strolling, in the meanwhile, 35 accused



persons, including the petitioners came there and forcibly tried to take away the minor child of the informant for the intention to kill. However, on screaming, when *Babloo Alam* came to his rescue, co-accused *Sharwan Kumar* assaulted him by means of iron rod on his head, due to which he sustained serious head injury.

4. Learned Advocate for the petitioners referring to the FIR contended that save and except omnibus nature of allegation against 35 persons, except co-accused *Sharwan Kumar*, there is no whisper that the petitioners have anyhow actively participated in the crime. In fact only on account of the fact that the petitioners have good relationship with main accused persons, their names have been implicated in this case in order to wreck vengeance and put pressure. It is further contended that in the said incidence, however, four persons have sustained injuries, but all the injuries have been found to be simple in nature. To support the aforesaid contention, injury reports have been placed on record as Annexures- 2 to 5 of the bail application. The petitioners are though facing one criminal antecedent over their head, however, they undertake that they will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that because



of active participation of the petitioners, four persons have sustained injuries and, as such, the complicity of the petitioners cannot be denied.

6. Having considered the submission advanced by learned Advocate for the respective parties and taking note of the omnibus nature of allegation, coupled with the simple injuries sustained to the informant, let the petitioners above named 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) **each** with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Saran at Chapra in connection with Dighwara P.S. Case No. 255 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 petitioners.

(Harish Kumar, J)

shivank/-

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

