

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83564 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- BAHERI District- Darbhanga

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1. Sintu Kumar @ Sintu Kumar Suman S/o Aniruddh Yadav Resident of Village - Matharahi, Police Station - Baheri, District - Darbhanga
 2. Rakesh Kumar S/o Aniruddh Yadav Resident of Village - Matharahi, Police Station - Baheri, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Adv. Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-01-2026 Heard Mr. N. K. Agrawal, learned Senior Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Baheri P.S. Case No. 192 of 2025, registered for the offences punishable under Sections 189(2), 126(2), 115(2), 118(1), 109(1), 329(4), 74, 352, 303(2) of the BNS.

3. While the accused persons, including the petitioners, were forcefully trying to lay down the foundation over the land of the informant, the same was resisted, whereupon the petitioner No. 2 having *lathi* in his hand assaulted the wife of the informant due to which she sustained head injury, whereas petitioner No. 1 assaulted the



informant by means of iron spade over his head due to which he fell down on the ground. There is further allegation against the other accused persons of causing assault and of snatching some cash amount.

4.Learned Senior Advocate for the petitioners taking this Court through the FIR contended that admittedly there is a land dispute between the parties which resulted into some free fight and unfortunate injury; besides there is a counter version of the present case being Baheri P.S. Case No. 182 of 2025 instituted against the informant and others. In the said incidence, the persons of the petitioners' side have also sustained injuries. So far the injury, which is allegedly sustained to the informant's wife, the same has been found to be simple in nature and the injury which is sustained to the informant, the opinion was reserved; however, on instruction, learned Senior Advocate submitted that the same is also declared to be simple in nature, inasmuch as, no abnormality has been found in the radiology report. It is lastly contended that be that as it may, the petitioners are men of fair antecedent and they undertake before this Court that they 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 submitted that



because of assault being made by the petitioners, the informant and his family members have sustained serious injuries and, as such, complicity of the petitioners cannot be denied.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the genesis of the occurrence, coupled with the factum of case and counter case as also the submission advanced that the injuries sustained to the informant and his wife are simple in nature, let the petitioners abovenamed be released on bail, **subject to the confirmation regarding the injury being simple in nature**, 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-VII, Darbhanga in connection with Baheri P.S. Case No. 192 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)

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