

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90623 of 2025

Arising Out of PS. Case No.-395 Year-2025 Thana- GRIYAK District- Nalanda

1. Kundan Kumar S/o Anil Pal @ Anil Kumar Resident Of Village- Pawapuri More, Ps- Giriyak (Pawapuri), District- Nalanda
2. Chandan Kumar S/o Anil Pal @ Anil Kumar Resident Of Village- Pawapuri More, Ps- Giriyak (Pawapuri), District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Amit Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Giriyak P.S. Case No. 395 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 118(2), 117(2), 109(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that a dispute over cattle grazing in the informant's field at Pawapuri led co-accused Anil Pal and his three sons to brutally attack the informant and his grandfather Shambhu Singh by means of bamboo sticks, knives, iron rod and a spade. During the assault,



the informant was severely injured, robbed of his chain, and stabbed, while his grandfather sustained grievous head, jaw, hand and chest injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioner also submits that no specific allegation has been attributed against the petitioners rather the same is general and omnibus in nature. It is further submitted that there is case and counter case between the parties. Petitioner no. 1 is in custody since 07.09.2025 and petitioner no. 2 is in custody since 06.09.2025 and both of them have got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing



bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Giriyak P.S. Case No. 395 of 2025, subject to the following conditions;

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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