

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90235 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- AGION (GARHANI) District- Bhojpur

1. Ram Sighasan Singh S/O Late Ram Naresh Singh Resident of Village-Poswa, P.S.- Agiaon, District- Bhojpur
2. Gaurav Kumar S/o Ram Sighasan Singh Resident of Village- Poswa, P.S.- Agiaon, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Agiaon (G) P.S. Case No. 152 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 125(A), 125(b), 109(1), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the prosecution case, the informant has alleged that the accused persons including the petitioners started abusing and pelting stone on the family of the informant. It is further alleged that co-accused Golu fired gun-shot on the informant however the shot missed and it hit a passers-by



namely Munni Devi, who later succumbed to the injuries. It is further alleged that the petitioners assaulted the informant, his father and mother.

4. Learned counsel for the petitioner submits that petitioners have falsely been implicated and no such incident, as alleged, has taken place. It is further submitted that from perusal of the injury report it would be evident that the injuries were found to be simple even after CT-scan was done. It has further been submitted that the entire family members have been made accused with an intention to settle a long standing land dispute between the families. It is further submitted that no case under Section 109 (1) of the B.N.S. is made out especially in view of the fact that simple injuries have been sustained by the injured persons.

5. Learned counsel for O.P. No. 2 as well as the learned APP appearing on behalf of the State have vehemently opposed the prayer for anticipatory bail of the petitioners and have stated that the petitioners had assaulted the informant as well as the mother and father of the informant. It has further been submitted that the intention of the petitioners and the entire family was bad which would be evident from the fact that the son of petitioner no. 1 had fired upon the informant however the



shot missed and hit a passers-by who later died.

6. Considering the facts and circumstances as well as aforesaid submissions and taking into account that the injuries sustained by the injured persons were found to be simple and the petitioner no. 2 has no criminal antecedent and petitioner no. 1 is accused in one case, the petitioners are directed to 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, on their furnishing bail bonds in the sum 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-VIII, Ara in connection with Agiaon (G) P.S. Case No. 152 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners;

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the



petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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