

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91209 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- HASAN BAZAR District- Bhojpur

1. Shivjee Ram @ Shivajee Ram S/O Butan Ram R/O Village - Ujjaindihra, P.S. - Hasan Bazar, District- Bhojpur
2. Raju Ram S/O Butan Ram R/O Village - Ujjaindihra, P.S - Hasan Bazar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Kumar Singh, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hasan Bazar P.S. Case No. 46 of 2025, registered for the offences punishable under Sections 191(2), 190, 115(2), 126(2), 109, 303(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. In the morning of the fateful day while the informant was engaged in measurement of his land, in the meanwhile, all the FIR named accused persons including the petitioners armed with *lathi*, *danda* and illegal weapons



surrounded them and brutally assaulted. It is specifically alleged that co-accused Uma Ram has assaulted the wife of the informant over her head. The accused persons also snatched the valuables and assaulted the informant and other family members.

4. Learned Advocate appearing on behalf of the petitioners submitted that the genesis of the occurrence is nothing but a land dispute, resulting into institution of the case and counter case being Hasan Bazar P.S. Case No. 48 of 2025 instituted against the informant and others. So far the specific accusation of causing assault is concerned, the same is levelled against co-accused Uma Ram, who is not before this Court. The petitioners are at best said to be members of the unlawful assembly, who were present at the place of occurrence, however without there being any specific accusation. The petitioners bear fair antecedent and undertake that they will fully cooperate in the proceeding of the Court. It is lastly contended that be that as it may, the injury which is sustained to the wife of the informant is also found to be simple in nature.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the petitioners have also actively participated in the crime



and assaulted the informant and his family members.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the omnibus nature of accusation against the petitioners, coupled with the factum of case and counter case, besides the fair antecedent as well as simple nature of injury, 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) with two sureties of the like amount **each** to the satisfaction of the learned A.C.J.M. VIII Bhojpur, Ara in connection with Hasan Bazar P.S. Case No. 46 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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