

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77126 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- BARHARIA District- Siwan

Nitish Kumar Son of Moti Lal Singh Resident of Village - Itwa, P.S. -
Pachrukhi, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kr. No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and Mr.

Dilip Kumar No.1 learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 76, 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case, in short, is that petitioner along with two co-accused persons came at the door of the informant and started abusing her, when she opposed them, petitioner assaulted her with iron rod and she sustained head injury. It is further alleged that co-accused Gauri Devi and Renu Devi snatched her golden Mangalsutra and Jhumka worth rupees 6,500/-. It is further alleged that when her brother-in-law Amit Singh came to rescue her then all accused persons assaulted him with knife and *lathi* due to which he sustained cut injury on his hand and injury on head.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. The injury sustained by the victim is simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned counsel for the State opposed the prayer for bail of the petitioner.

6. Having regard to the facts and circumstances of the case, there is admitted land dispute between the parties and both sides have assaulted each other, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Barharia P.S. Case No. 315 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.S..

(Anjani Kumar Sharan, J)

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