

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4530 of 2025

Arising Out of PS. Case No.-1132 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Nitesh Bhagat @ Nitesh Kumar Son of Late Lalbabu Bhagat @ Lal Babu
Bhagat Resident of Shemra Bhola Tola, P.S. - Turkauliya, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-02-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 149, 447, 341, 323,
324, 325, 307, 379, 504 and 506 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that
the petitioner is in custody since 24.09.2024, he has antecedent
of three cases and in sum and substance, the allegation against
the petitioner is of assaulting Baby Kumari by knife causing
injury on her finger.
4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant alleging that petitioner assaulted Baby Kumari by



knife. It is next submitted that from perusal of the order impugned, it would manifest that the injury of Baby Kumari has been recorded by the learned District Court wherein it has been recorded that Baby Kumari suffered multiple abrasion over left hand caused by hard and blunt substance and the injury was opined to be simple. It is thus submitted that it absolutely does not stand to reason that had the petitioner assaulted Baby Kumari with knife, then whether the injury suffered by her would have been opined to be caused by hard and blunt substance. It is also submitted that there is no allegation that petitioner repeatedly assaulted Baby Kumari. It is next submitted that petitioner is in custody since 24.09.2024, charge-sheet has been submitted and petitioner will cooperate in the trial to prove his innocence.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P. S. Case No.1132 of 2023,



subject to the condition that one of the bailors of the petitioner shall be his brother namely, Sanjan Kumar.

7. The application stands allowed.

8. However, in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons and shall take all coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

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