

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5811 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- NAANPUR District- Sitamarhi

Bhushan Kumar @ Hari Bhushan Yadav S/O Nand Kishore Yadav Resident
of Village- Nayatol, P.S. - Nanpur, Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Nanpur P.S. Case No. 197 of 2024 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. The allegation against the petitioner is to assault the informant and others alongwith other named co-accused persons causing head and bodily injury by using iron rod, farsa etc., where alleged assault was made with intention to cause death of informant and others. The occurrence alleged



to be arisen out of local dispute and differences, which was surfaced during the marriage ceremony.

4. Learned counsel appearing on behalf of the petitioner submitted that maximum allegation against the petitioner, which can be gathered from the face of F.I.R., is of order giver, whereas specific allegation to cause physical assault is available against co-accused Manish Kumar, Ritesh Kumar and Bikash Kumar. It is submitted that injury as alleged to be caused inflicted by other accused persons. The alleged occurrence was nothing but a free-fight during the marriage ceremony, for which a criminal case was also lodged by the petitioner's side against the informant and others, which was registered as Nanpur P.S. Case No. 196/2024. Learned counsel submitted that petitioner is a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as allegation of physical assault is not available against this petitioner, who is a man of clean



antecedent, rather the same is available against other co-accused persons, moreover causing simple injury negating the intention to cause death on its face, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from today, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi/concerned court in connection with Nanpur P.S. Case No. 197 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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