

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9545 of 2025

Arising Out of PS. Case No.-92 Year-2023 Thana- BACHHWARA District- Begusarai

Kundan Kumar S/o Pramod Rai @ Pramod Ray R/o Village- Bhikhamchak,
(Bhikamchak), Bhikhanchak, Ward No 04, Post- Naipur, PS- Bachhwara,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-02-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 448, 307, 504 and
34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case. It is next submitted that
petitioner has been falsely implicated in the instant case on
account of dispute relating to land being agnates of the
informant. It is next submitted that informant alleges that on 18-
3-2023 the accused persons including the petitioner came and
assaulted his daughter Hema by rod and lathi causing injury on
her head, thereafter other accused persons came and assaulted



the informant, his wife and his son, further Hema was taken to PHC from where she was referred to Begusarai Sadar Hospital.

4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault is general and omnibus in nature. It is next submitted that though it is alleged that petitioner along with Ritesh and other assaulted Hema by an iron rod and *lathi* all over her body causing injury, but then from the injury report of Hema, it would manifest that she suffered only one injury on her head but then the said injury is opined to be grievous. It is next submitted that mother of the petitioner had earlier instituted Bachhwara PS Case No. 154 of 2022 against the informant and his side; and the informant of the instant case on 29-06-2022 had come to the house of the petitioner and had threatened the mother of the petitioner to withdraw the aforesaid case, failing which consequences would follow and when she objected, the mother of the petitioner along with her family members were assaulted for which Bachhwara\ PS Case No. 91 of 2023 was instituted. It is next submitted petitioner is in custody since 3-9-2024 and charge-sheet has been submitted.

5. Learned A.P.P. for the State vehemently opposes



the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bachhwara P.S. Case No. 92 of 2023.

(Satyavrat Verma, J)

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