

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11600 of 2025

Arising Out of PS. Case No.-207 Year-2024 Thana- LAUKAHA District- Madhubani

Devendra Kamat Son of Jag Narayan Kamat Resident of Village- Madhopur,
P.S.- Laukaha, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baleshwar Kamat, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP
For the Informant	:	Mr. Ashok Kumar, Advocate
		Mr. Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

2. In this present case, the petitioner seeks bail in connection with Laukaha P.S. Case No. 207 of 2024 registered on 09.11.2024 for the offences under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2)(3) and 3(5) of the B.N.S.

3. As per prosecution case, in the background of earlier land dispute, the petitioner and other co-accused persons, stopped the motorcycle of the informant and brutally assaulted him causing a number of injuries. They also snatched Rs. 6500/- and a mobile phone from the informant. The assailants also took away the motorcycle of the informant. The bleeding body of the informant was thrown away in a bamboo clump.

4. Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation against the petitioner who has been named in this case along with other 11 co-accused persons. Specific allegation of assault is against Surendra Yadav and Shiv Sagar Kunwar and for taking of motorcycle it is against Yudhishtir Yadav whereas Chulhai Kunwar is stated to be an order giver. Learned counsel further submits that fardebayan was recorded on 29.10.2024 while the occurrence was taken place on 21.10.2024 and there is no satisfactory explanation for the delay. Petitioner is in custody since 14.12.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. as well as learned counsel appearing on behalf of the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner and other co-accused persons made attempt on the life of the informant and assaulted him causing a number of injuries. Learned counsel further submits that the petitioner is named along with ten other co-accused persons in the FIR itself that he along with other co-accused persons assaulted the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioner and also



considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, Madhubani/concerned court in connection with Laukaha P.S. Case No. 207 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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