

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13953 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- ARER District- Madhubani

1. Rahul kumar Kamat @ Rahul Kamat Son of Lal Bahadur Kamat R/o village - Jamuari , p.s.- Arer , District - Madhubani
2. Lal Bahadur Kamat son of Late Laxmikant R/o village - Jamuari , p.s.- Arer , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gangadhar Yadav, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP
For the Informant	:	Mr. Rahul, Advocatae

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-03-2025 Learned counsel for the petitioners seeks permission to withdraw the present bail application on behalf of petitioner no.1, namely, Rahul Kumar Kamat, who has already been arrested by the Police.

2. Permission is accorded.

3. Accordingly, the prayer for bail for petitioner no.1 is dismissed as withdrawn.

4. Heard learned counsel for the petitioner no.2, namely, Lal Bahadur Kamat and learned APP for the State.

5. The petitioner no.2 apprehends his arrest in connection with Arer P.S. Case No.122 of 2024 registered for the offence punishable under Sections126(2), 115(2), 118(1)



109, 303(2), 74, 352, 351(2) 3(5) of BNS.

6. As per the allegation in the FIR, petitioner along with other co-accused persons have assaulted the informant and her family members by means of farsa, danda and iron rod in which they have sustained serious injuries.

7. Learned counsel for the petitioner no.2 submits that petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is named in the FIR. He further submits that there is case and counter case between the parties. He next submits that there is an inordinate delay of seven days in lodging of the FIR without any plausible explanation. He further submits that there is admitted land dispute between the parties. He further submits that petitioner has got one criminal antecedent as stated in para-3 of the bail petition.

8. Learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner no.2, namely, Lal Bahadur Kamat for causing head injury to the informant's husband, namely, Dinesh Chaudhary by means of *tengari*. He further submits that it is also opined by the medical officer that the injury sustained to informant's son is dangerous to life which



has been caused by sharp cut.

9. On perusal of the First Information Report, impugned order dated 16.01.2025, it appears that the present petitioner is named in the FIR and injury report shows sharp cut wound in regular margin on right lateral temporal brain of informant's son, namely, Rinku Kumar, and the fact that petitioner has got one criminal antecedent and injuries sustained to the informant's family members is severe in nature, so considering all aspects of the case, I am not inclined to grant bail to the petitioner no.2.

10. Accordingly, the anticipatory bail of the petitioner no.2 is hereby rejected

(Ramesh Chand Malviya, J)

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