

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15096 of 2025

Arising Out of PS. Case No.-681 Year-2019 Thana- KADAMKUAN District- Patna

1. Nitish Kumar S/o Dukhi Prasad R/o - Prahlad Nagar, P.S - Noor Sarai,
District - Nalanda
2. Sanjay Kumar S/o- Baleshwar Yadav R/o - Prahlad Nagar, P.S - Noor Sarai,
District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 03-09-2025 Heard Mr. Arun Kumar, learned counsel appearing
on behalf of the petitioners and Mr. Rajendra Nath Jha, learned
APP for the State.

2. The petitioners seeks pre-arrest bail in connection
with Kadam Kuan P.S. Case No. 681 of 2019 registered for the
offence punishable under Sections 341, 323 and 307/34 of the
Indian Penal Code.

3. As per the allegation made in the F.I.R., accused
persons including the petitioners had assaulted on the head of
the brother of the informant by means of bamboo phatta with an
intention to kill him.

4. Learned counsel appearing on behalf of the



petitioners submitted that the F.I.R. is against unknown and the name of the petitioners has been disclosed by the owner of the Truck bearing Registration No. BR01GB5382, while release application was made before the appropriate authority. Petitioners are innocent. He further submits that the injuries sustained by the victims are simple in nature, however, opinion of the doctor is awaited.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having heard the rival submissions made on behalf of the parties, as well as, the fact that the F.I.R. is against unknown and the petitioners have admitted in Para-17 that without intention they may have hit the brother of the informant who was on the motorcycle by the truck, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Kadam Kuan P.S. Case No. 681 of 2019, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.



7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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